

TOWN OF CHEEKTOWAGA
MEETING NO. 14
JULY 6, 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 6th day of July, 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

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Robert McCarthy, Coordinator of Employee Relations; Salvatore LaGreca, Planning Board Chairman; William Pugh, Town Engineer; Robert Kaczmarek, Supervising Accountant; James J. Kirisits, Town Attorney; Ronald Marten, Building and Plumbing Inspector; Patricia Wojcik, Director of Senior Services; Ronald Kmiotek, Town Justice; James Schaller, Assistant Chief of Police; and Frank Max, Working Crew Chief - Sanitation/ Recycling Department.

I. FROM THE TABLE

Item No. 2 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 Benderson Development Company, Inc./Delta Sonic to rezone a 1.15 acre parcel known as 2285 Walden Avenue from M-1 Light Manufacturing District to MS-Motor Service District, AND

WHEREAS, the proposal is to construct a 4,300± square foot muffler/brake shop and 1,800± square foot oil lube shop and incorporate these as part of the services officer at the Delta Sonic facility, AND

WHEREAS, the application had revised the plan to provide for safer on-site traffic movements, adjusted the driveways to comply with New York State Department of Transportation ("NYSDOT") standards and improve landscaping, AND

WHEREAS, the Advisory Committee, at its meeting held on March 18, 1998 rendered the recommendation shown on the attached memo dated March 19, 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 purpose of SEQRA.

Item No. 2 cont'd.

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

Upon roll call

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



Item No. 3 Moved by Councilmember Swiatek, seconded by Councilmember Johnson

WHEREAS, Delta Sonic Carwash Systems has petitioned for the rezoning from M1-Light Manufacturing District to MS-Motor Service District of property owned by it and located at 2275-2285 Walden Avenue, 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 April, 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, this Town Board previously issued a Negative Declaration under SEQRA and the Town Environmental Impact Review Ordinance for this rezoning,

NOW, THEREFORE, BE IT RESOLVED, that the application of Delta Sonic Carwash Systems for the rezoning from M1-Light Manufacturing District to MS-Motor Service District of the property specified in the attached legal description be and the same is hereby approved and, BE IT FURTHER

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



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

Upon roll call

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



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

WHEREAS, on June 23, 1997 the Cheektowaga Town Board awarded the contract for Rehabilitation to the Skating Rink Work at the Cheektowaga Recreation Center to Mollenberg-Betz, Inc., AND

Item No. 4 cont'd.

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WHEREAS, Ronald C. Hosken, Architect and Facilities Director, William L. Wielinski have reviewed Change Order No. 1 as submitted by Mollenberg-Betz, Inc. as being in the best interest of the Town, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby approves Change Order No. 1 as submitted by Mollenberg-Betz, Inc. in the amount of \$9,986.00 to provide installation of new foam insulation under floor, cut and remove under floor fill at Northwest corner of Ice Rink, furnish and install two additional 5 foot dasher board sections and new soccer goal inserts for the new dasher boards, and, BE IT FURTHER

RESOLVED, that funds for said action are available from Capital Improvement Account #5709.7110.9704.

Upon roll call

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

II. RESOLUTIONS

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

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

GENERAL FUND

From:	0100-3120-3820	State Aid	\$ 5,000.00
	0100-1910-4711	Contingency Accountant	500.00
To:	0100-3120-4003	Traffic Safety Supplies	\$ 1,400.00
	0100-3120-1541	Patrolman Line	3,600.00
	0100-1110-4071	Uniforms	500.00

HIGHWAY FUND

From:	0300-5148-2300	Services from Other Governments	\$ 45,000.00
	0300-5142-4029	Salt	10,000.00
	0300-5141-1937	Labor Improvements Allocation	55,000.00
To:	0300-5150-1701	Labor-Highway Imputs	\$ 55,000.00
	0300-5141-1491	Part-Time Labor	55,000.00

CAPITAL

From:	5826-1910-5031	Transfers-In	\$400,000.00
To:	5826-1440-9802	Harlem Road Sewer Construction	\$400,000.00

Upon roll call

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

Item No. 6 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 June 30, 1998 are hereby approved and made a part hereof:

Item No. 6 cont'd.

GENERAL FUND	\$187,939.05
HIGHWAY FUND	99,654.32

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TRUST & AGENCY	49,205.97
PART TOWN FUND	2,809.74
HUD CDBG FUND	3,912.50
HUD HOUSING REHABILITATION	12,498.71
RISK RETENTION FUND	14,840.20
SPECIAL DISTRICTS FUND	264,598.10
CAPITAL FUND	<u>72,198.70</u>
	\$707,657.29

Upon roll call

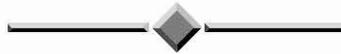
AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Johnson, Swiatek, Jankowiak, and Mazur
NAYES: 0
ABSENT: 0

Item No. 7a Moved by Councilmember Jaworowicz, 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 Two (2) New and Unused 1998 or 1999 Model, One Ton, Dump Trucks, with Front Snow Plows 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 designated as the Officer to open bids on the aforesaid items at 11:00 A.M. on July 17, 1998.



TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT

LEGAL NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN, that the Town of Cheektowaga Highway Department will receive proposals for the purchase of TWO (2) NEW AND UNUSED 1998 OR 1999 MODEL, ONE TON, DUMP TRUCKS WITH FRONT SNOW PLOWS for use of the Highway Department at a bid opening to be held in the Council Chambers at the Cheektowaga Town Hall on July 17, 1998 at 11:00 a.m.

Information for bidders and specifications may be obtained from the office of Richard Moleski, Town Clerk at his office located at Town Hall, Cheektowaga, New York. Bids must be enclosed in an opaque envelope plainly marked "BIDS FOR TWO (2) NEW AND UNUSED 1998 OR 1999 MODEL, ONE TON DUMP TRUCKS, WITH FRONT SNOW PLOWS".

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: July 6, 1998
Published: July 9, 1998



Item No. 6a cont'd.

Upon roll call

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

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ABSENT: 0

AFFIDAVIT - NEXT PAGE

Item No. 7b Moved by Councilmember Jaworowicz, 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 Used, 1998 or 1999 Model 4X4, 4 Door Utility Vehicle for use by the Cheektowaga Highway Department.

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

RESOLVED, that the Town Clerk is hereby designated as the Officer to open bids on the aforesaid items at 11:00 A.M. on July 17, 1998.



TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT
LEGAL NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN, that the Town of Cheektowaga Highway Department will receive proposals for the purchase of ONE (1) NEW AND UNUSED 1998 OR 1999 MODEL, 4X4, 4 DOOR, UTILITY VEHICLE for use of the Highway Department at a bid opening to be held in the Council Chambers at the Cheektowaga Town Hall on July 17, 1998 at 11:00 A.M.

Information for bidders and specifications may be obtained from the office of Richard Moleski, Town Clerk at his office located at Town Hall, Cheektowaga, New York. Bids must be enclosed in an opaque envelope plainly marked "BIDS FOR ONE (1) NEW AND UNUSED 1998 OR 1999 MODEL, 4X4, 4 DOOR UTILITY VEHICLE".

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: July 6, 1998
Published: July 9, 1998



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

AFFIDAVIT - NEXT PAGE

Item No. 7c Moved by Councilmember Johnson, seconded by Councilmember Mazur

WHEREAS, this Town Board has authorized the preparation of plans and specifications for the Community Drive Storm Sewer Trunkline Project, Phase 1, 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, AND

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WHEREAS, Community Development Block Grant funds have been budgeted for the aforesaid project, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the Community Drive Storm Sewer Trunkline Project, Phase 1, said notice to be published in the BUFFALO NEWS and THE CHALLENGER and, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 22nd day of July, 1998 at 11:00 A.M., Eastern Daylight Savings Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.



MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER MAZUR TO AMEND THE ABOVE RESOLUTION, ITEM 7C, AND THE VOTING WAS AS FOLLOWS:

Upon roll call

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



AMENDED

WHEREAS, this Town Board has authorized the preparation of plans and specifications for the Community Drive Storm Sewer Trunkline Project, Phase 1, 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, AND

WHEREAS, Community Development Block Grant funds have been budgeted for the aforesaid project, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the Community Drive Storm Sewer Trunkline Project, Phase 1, said notice to be published in *the CHEEKTOWAGA TIMES*, the BUFFALO NEWS, and THE CHALLENGER and, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 22nd day of July, 1998 at 11:00 A.M., Eastern Daylight Savings Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.



Item No. 7c cont'd.

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 22nd day of July, 1998, at 11:00 A.M. local time, in the Town Hall, Town of Cheektowaga, New York for furnishing all labor, tools, equipment, materials, and incidentals required for the Community Drive Storm Sewer Trunk Line Phase I, Project complete, in place, and ready for use in accordance with the Contract Documents therefor, including Plans, Specifications, Instructions to Bidders, etc., prepared by

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Nussbaumer & Clarke, Inc., Consulting Engineers for said project, and approved by the Town Board of the Town of Cheektowaga, all of which are on file with the Town Engineer in his office at 275 Alexander Avenue, Cheektowaga, New York 14211.

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the above office and at the office of the Engineers at 3556 Lake Shore Road, Suite 500, Buffalo, New York 14219. Copies may be secured at the office of Nussbaumer & Clarke, Inc., upon payment of \$50.00 per set of documents. Two checks, each for one-half the amount of the deposit, shall be made payable to the Town of Cheektowaga.

Any bidders returning such Plans and Specifications in good condition within 30 days following the award of the Contract or the rejection of the bids, will be refunded the full amount of the deposit. Similarly, non-bidders will be refunded one-half the deposit. Material suppliers and anyone returning the plans and Specifications before the bid opening will also be classed as non-bidders. Any bidders requesting more than one (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 the Town Clerk of the Town of Cheektowaga, Town Hall, Cheektowaga, New York 14227, and marked as "Proposal for the 1998 Community Development Block Grant Program".

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

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

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

The successful bidder will be required to furnish a performance bond acceptable to the Owner, in an amount equal to the contract award.

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

Attention of the bidders is further called to Section 2604 of the Public Authorities Law which requires a bidder's Certificate of Non-Collusion. Such certificate is part of the bid or proposal form and unless complied with, such bid will not be accepted.

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

Item No. 7c cont'd.

The work shall be completed within 180 consecutive calendar days, to begin five (5) days after the "Order of Commence Work" has been issued.

BY ORDER OF: THE TOWN OF CHEEKTOWAGA

Richard M. Moleski, Town Clerk

Dated: July 6, 1998

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Published: July 9, 1998



Upon roll call

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

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

WHEREAS, this Town Board has authorized the preparation of plans and specifications for modifications to and upgrading of Town owned fuel storage and dispensing facilities at various sites, 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

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for said Fuel Dispensing Systems Project, said notice to be published in the CHEEKTOWAGA TIMES AND, BE IT FURTHER

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RESOLVED, that sealed bids will be received on the 22nd day of July, 1998 at 11:00 A.M., Eastern Daylight Savings Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.



NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York on the 22nd day of July, 1998 at 11:00 A.M., local time, in the Town Hall, Town of Cheektowaga, New York for furnishing all labor, tools, equipment, materials and incidentals required for the Fuel Dispensing Systems at the indicated locations, complete, in place, and ready for use in accordance with the Contract Documents, therefore, including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for said project, and approved by the Town Board of the Town of Cheektowaga, all of which are on file with the Town Engineer in his office at 275 Alexander Avenue, Cheektowaga, New York 14211.

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the above office and at the office of the Engineers at 3556 Lake Shore Road, Suite 500, Buffalo, New York 14219. Copies may be secured at the office of Nussbaumer & Clarke, Inc., upon payment of \$50.00 per set of documents. Two checks, each for one-half the amount of the deposit, shall be made payable to the Town of Cheektowaga.

Any bidder returning such Plans and Specifications in good condition within 30 days following the award of the Contract or the rejection of the bids, will be refunded the full amount of the deposit. Material suppliers and anyone returning the Plans and Specifications before the bid opening will also be classed as non-bidders. Any bidders requesting more than one (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 the Town Clerk of the Town of Cheektowaga, Town Hall, Cheektowaga, New York 14227 and marked as "Proposals for the Fuel Tank Demolition, Installation and Modification Project".

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

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

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

Item No. 7d cont'd.

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

The successful bidder will be required to furnish a performance bond acceptable to the Owner, in an amount equal to the contract award.

Attention of the bidders is further called to Section 2604 of the Public Authorities Law which requires a Bidder's Certificate of Non-Collusion. Such certificate is part of the bid or proposal form and, unless complied with, such bid will not be accepted.

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

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The work shall be completed within 100 consecutive calendar days, to begin five (5) days after the "Order of Commence Work" has been issued.

BY ORDER OF: THE TOWN OF CHEEKTOWAGA

Richard M. Moleski, Town Clerk

Dated: July 6, 1998
Published: July 9, 1998



Upon roll call

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

AFFIDAVIT - NEXT PAGE

Item No. 7e Moved by Councilmember Johnson, seconded by Councilmember Rogowski

WHEREAS, this Town Board has authorized the preparation of plans and specifications for improvements to the traffic signal system at the intersection of Pine Ridge Road and Doat Street, AND

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

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for traffic signal system improvements at the intersection of Pine Ridge Road and Doat Street, said notice to be published in the CHEEKTOWAGA TIMES, and, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 22nd day of July, 1998 at 11:00 A.M., at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

Upon roll call

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



NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town of Cheektowaga on the 22nd day of July, 1998, at 11:00 A.M. local time, in the Town Hall, Broadway and Union Road, in the Town of Cheektowaga, New York, for furnishing all labor, materials, tools, equipment and incidentals required for signal improvements at the intersection of Pine Ridge Road and Doat Street.

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the office of the Town Engineer at 275 Alexander Avenue, Cheektowaga, New York and the office of EMS Consulting at 1863 Clinton Street, Buffalo, New York. Copies may be secured at the office of EMS Consulting upon payment of \$50.00 for each set of documents. Deposits should be made in the form of two (2) \$25.00 checks made payable to the Town of Cheektowaga, New York. Contract documents will be mailed by EMS Consulting upon receipt of a separate \$15.00 non-refundable check for mailing and handling costs in addition to the contract document deposit. Checks for mailing and handling costs shall be made payable to EMS Consulting.

Any bidder returning Plans and Specifications in good condition within 30 days following the award of the contract or rejection of the bids, will be refunded the full amount of the deposit. Similarly, non-bidders will be refunded one-half of the deposit. Material suppliers and anyone returning the Plans and Specifications before the bid opening will be classed as a non-bidder. Any bidders requesting more than one (1) set of Plans and Specifications may purchase excess, but it is understood that they are not returnable. No refund will be made for documents received after this 30 day period.

All bids must be enclosed in a separate, sealed envelope, and shall be addressed to the Town Clerk of the Town of Cheektowaga, Town Hall, Cheektowaga, New York 14227 and marked as "Improvements to the Traffic Signal System at the Intersection of Pine Ridge Road and Doat Street".

The Town of Cheektowaga reserves the right to reject any and all bids, to waive any informalities therein, 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.

Item No. 7e cont'd.

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

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

The successful bidder will be required to furnish a performance bond acceptable to the Owner, in an amount equal to the contract award.

Attention of the bidders is further called to Section 2604 of the Public Authorities Law which requires a bidder's Certificate of Non-Collusion. Such certificate is part of the bid or proposal form and, unless complied with, such bid will not be accepted.

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

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BY ORDER OF: Richard M. Moleski
Town Clerk
Town of Cheektowaga

Dated: July 6, 1998
Published: July 9, 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. 8 Moved by Councilmember Rogowski, seconded by Councilmember Jaworowicz

WHEREAS, on June 6, 1955, the Town Board of the Town of Cheektowaga adopted an ordinance now known as Chapter 65, Article II, of the Code of the Town of Cheektowaga, setting forth specifications for the construction of sidewalks in the town, AND

WHEREAS, Section 200a of the Town Law of the State of New York authorized a town board to adopt a local law to apportion the expense of building, relaying and repairing sidewalks in towns between the town property owners, AND

WHEREAS, this Town Board, by resolution dated September 3, 1991, adopted Local Law No. 4 of the year 1991, entitled "A Local Law Apportioning the Cost of Repairing Sidewalks, AND

WHEREAS, the Town Superintendent of Highways has supplied this Town Board with the attached list of sidewalks in the Town which are in need of repair or replacement, NOW, THEREFORE, BE IT

ORDERED, that the owners of properties listed on the attached sheets be and hereby are directed to repair/replace the sidewalks abutting such properties on or before August 10, 1998, in accordance with the Town's Streets and Sidewalks Ordinance and, BE IT FURTHER

ORDERED, that would such property owners choose not to repair/replace their sidewalks as so notified, the town will cause such sidewalks to be repaired/replaced, and audit and pay 50% of the expense thereof against the property which abuts such sidewalks over a period of two (2) years, with interest at the rate of 6.00% and, BE IT FURTHER

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ORDERED, the Town Clerk be and hereby is directed to notify the owners of properties, listed on the attached sheets of this order, by sending the attached Notice via certified mail addressed to each such owner at his address as it appears on the Town Assessment roll.

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. 9 Moved by Supervisor Gabryszak, seconded by Councilmember Rogowski

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

WHEREAS, the Cheektowaga Stingrays Swim Club has made application to hold its annual long course swim meet at the Town Park Pool on July 18-19, 1998, AND

WHEREAS, this Board has reviewed the application submitted by Cheektowaga Stingrays Swim Club, which application has been approved by the Facilities and Youth and Recreational Services Departments, and has no objection to same, AND

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

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

NOW, THEREFORE, BE IT

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RESOLVED, that this Town Board hereby approves the aforementioned application of the Cheektowaga Stingrays Swim Club for its annual long course swim meet to be held on July 18-19, 1998 at the Town Park Pool.

Upon roll call

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

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

WHEREAS, Friends of the Woods, Ltd. is a not-for-profit corporation formed for the purpose of promoting and protecting wildlife and educating the public on such matters, AND

WHEREAS, Friends of the Woods, Ltd. has been involved in planting trees and preserving trees and wildlife in the Reinstein Woods Nature Preserve and Stiglmeier Park in Cheektowaga, AND

WHEREAS, Friends of the Woods, Ltd. has also been active in teaching the youth of our town about wildlife and nature conservation, AND

WHEREAS, Friends of the Woods, Ltd. has requested permission to place a large stone near the rear (Como Park Boulevard) pedestrian entrance to Stiglmeier Park, which stone would acknowledge the contributions of Friends of the Woods, Ltd. in promoting and protecting wildlife and nature, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby grants permission to Friends of the Woods, Ltd. to place a stone/monument at the above referenced location.

Upon roll call

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

Item No. 11 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

*SEE NEXT PAGE FOR ATTACHMENT

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Item No. 12a Moved by Councilmember Rogowski, seconded by Supervisor Gabryszak

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

Dana Abenschein
Nicole Acquisto
Tim Ahren
Stephanie Albano
Joel Astyk
Joseph Buckeker
Joseph Cantafio
Amy Conner
Kimberly Dehr
Danielle Drzymala
Eric Hansen
Timothy Hinkley
Timothy Isch
Camille Kazmierczak
Angela Kilger
Sharon Kreil
Sarah Miga
Jodi Napier
Lori Owens
Jason Peters
Ann Marie Pierdziak
Amy Rainville
Marc Sacco
April Scherer

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Douglas Stoklosa
Scott Syrocynski
Renee Szarzynski
Kevin Tomaka
Leanne Ventura
Thomas Wasielewski
Dan Widomski
Michael Yelich

Upon roll call

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

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

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

		<u>EFFECTIVE</u>
<u>MAIN PUMP STATION</u>		
Todd Bush		Immediately
Jason Stucke		"
<u>FACILITIES DEPARTMENT</u>		
Kevin Rydzynski	05-30-98	
Patrick Fix		06-09-98
Michael Wojdyla	07-06-98	
Scott Long		07-06-98
Michael Stachura		07-06-98
Felix Lampke		07-06-98
Charles Egloff		07-06-98
Carol Joyce		07-06-98
<u>Item No. 12b cont'd.</u>		

		<u>EFFECTIVE</u>
<u>ENGINEERING DEPARTMENT</u>		
Raymond Deuel		05-19-98
<u>RECYCLING DEPARTMENT</u>		
Philip Huebbers		06-11-98
Robert Zielinski		06-13-98
Eric Springer		06-20-98

		<u>EFFECTIVE</u>
<u>SEWER MAINTENANCE DEPARTMENT</u>		
Aaron Vanderlip		Immediately
Timm Witt		"

Upon roll call

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

Item No. 13a Moved by Councilmember Jaworowicz, seconded by Councilmember Mazur
Councilmember Swiatek

WHEREAS, there is a need to provide security in the Town Justice Court for the safety of Town personnel and Town residents, AND

WHEREAS, by resolution dated June 1, 1998, this Town Board entered into a Memorandum of Agreement with the Town of Cheektowaga Police Club, Inc. to permit the use of non-sworn personnel in the screening of weapons and the provisions of court security, AND

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WHEREAS, this Board wishes to create twelve (12) part-time positions of Court Officer in the Town Justice Court, said positions to be under the auspices of the Town Justices, NOW, THEREFORE, BE IT

RESOLVED, that twelve (12) positions of Court Officer (Part-Time) be and hereby are created in the Town Justice Court, effective immediately and, BE IT FURTHER

RESOLVED, that the necessary PO-17 forms for these positions shall be filed with the County Civil Service Department.

Upon roll call

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

Item No. 13b Moved by Councilmember Jaworowicz, seconded by Councilmember Mazur

WHEREAS, the Town Justice Court is in need of a Court Clerk to perform various duties in such department, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby creates the position of Court Clerk in the Town Justice Court at a salary equivalent to the position of Clerk under the agreement with the Town of Cheektowaga Employee's Association, effective immediately and, BE IT FURTHER

RESOLVED, that the necessary PO-17 and other forms for this position shall be filed with the Erie County Personnel Department.

Upon roll call

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

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

BE IT RESOLVED, that the following Youth and Recreation employees be and hereby are transferred as indicated (Seasonal):

From Bath House Attendants 7180.1901 to Lifeguards - 7180.1903
From Basket Checker (Trainee) to Lifeguards - Level I - \$5.90
(effective July 6, 1998)

Luke Mazur

From Recreation Attendant III to Recreation Attendant IV - \$5.90 - 7140.1642
(effective July 6, 1998)

Amy Snyder

From Recreation Attendant I to Recreation Attendant II/Counselor II - \$5.40
7140.1651/7140.1611/7310.1801/7310.1803

Jillian Pytlewski

Upon roll call

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

Item No. 15a Moved by Councilmember Mazur, seconded by Councilmember Rogowski

WHEREAS, a vacancy exists in the position of Cleaner in the Facilities Department,
AND

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

WHEREAS, David Gallmeyer, currently employed as a Laborer in the Sanitation Department, bid on said vacancy and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that David Gallmeyer of XXXXXXXXXXXXXXXX Cheektowaga, New York XXXXX be and hereby is appointed to the position of Cleaner in the Facilities Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective July 7, 1998.

Upon roll call

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

Item No. 15b Moved by Councilmember Mazur, seconded by Councilmember Rogowski

WHEREAS, a vacancy exists in the position of Cleaner in the Facilities 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, John Ross, currently employed as a Light Motor Equipment Operator in the Recycling Department, bid on said vacancy and meets all the necessary qualifications, NOW, THEREFORE, BE IT

Item No. 15b cont'd.

RESOLVED, that John Ross of XXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed to the position of Cleaner in the Facilities Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective July 7, 1998.

Upon roll call

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

Item No. 15c Moved by Councilmember Mazur, seconded by Councilmember Rogowski

WHEREAS, a vacancy exists in the position of Maintenance Man in the Facilities 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, Raymond Bienik, 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 Raymond Bienik of XXXXXXXXXXXXXXXX, Sloan, New York XXXXX be and hereby is appointed to the position of Maintenance Main in the Facilities Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective July 7, 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. 15d Moved by Councilmember Mazur, seconded by Councilmember Jankowiak

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

WHEREAS, Edward Fialkowski, currently employed as a Laborer's Aide in the Recycling Department, applied for said vacancy and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Edward Fialkowski of XXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed to the position of Light Motor Equipment Operator in the Recycling Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective July 7, 1998.

Upon roll call

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

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

WHEREAS, Section 11-c of the Domestic Relations Law of the State of New York authorizes Town Boards to appoint marriage officers who shall have the authority to solemnize marriages, AND

Item No. 16a cont'd.

WHEREAS, this Town Board wishes to appoint Supervisor Dennis H. Gabryszak as a marriage officer for the benefit of Town taxpayers, NOW, THEREFORE, BE IT

RESOLVED, that Dennis H. Gabryszak hereby be appointed as a marriage officer authorized to solemnize marriages within the territory 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. 16b Moved by Councilmember Jaworowicz, seconded by Councilmember Mazur

WHEREAS, this Town Board previously created the position of Court Clerk in the Town Justice Court, AND

WHEREAS, the Town Justices have recommended that Judith A. Szczesniak be appointed provisionally to this position, NOW, THEREFORE, BE IT

RESOLVED, that Judith A. Szczesniak, XXXXXXXXXXXXX, Depew, New York XXXXX be and hereby is appointed to the position of Court Clerk (Provisional) in the Town Justice Court, effective immediately, at a salary in accordance with the position of Clerk in the agreement with the Town of Cheektowaga Employees Association.

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

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BE IT RESOLVED, that the following individuals be and hereby are hired as Seasonal employees in the Youth and Recreation Department, effective July 6, 1998:

Bath House Attendants - 7180.1901

Basket Checker (Trainee) - \$4.25
Nicole Petruniak XXXXXXXXXXXXXXXX XXXXX

Theater Workshop - 7140.1651

Recreation Attendant I - \$5.15
James L. Casucci XXXXXXXXXX XXXXX

Administrative Interns - 7310.1804

Recreation Attendant II - \$5.15
Donna Griese XXXXXXXXXXXXXXXXXXXX XXXXX

Basketball - 7140.1654
James Coleman XXXXXXXXXXXXXXXX XXXXX

YCC Participants - 7310.1812
Participants Level I - \$5.15
Daniel Cipolla XXXXXXXXXXXXXXXX XXXXX

Item No. 17a cont'd.

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 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

MAIN PUMP STATION - \$6.00 per hour

Joshua Strell XXXXXXXXXXXXXXXX, Cheektowaga XXXXX 07-07-98

FACILITIES DEPARTMENT - \$6.00 per hour

Shawn McMahon XXXXXXXXXXXXXXXX, Cheek. XXXXX 07-07-98
David Michalski XXXXXXXXXXXXXXXX, Cheek. XXXXX "
Patrick Nagy XXXXXXXXXXXXXXXX, Cheek. XXXXX "
Christian Linder XXXXXXXXXXXXXXXX, Cheek. XXXXX "

RECYCLING DEPARTMENT - \$6.00 per hour

James Biggins XXXXXXXXXXXX, Cheek. XXXXX 07-07-98

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

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Item No. 17c 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

POLICE DEPARTMENT - Clerk - \$6.00 per hour

Lindsay A. Gabryszak XXXXXXXXXXXX, Depew XXXXX 07-07-98
Jennifer L. Gabryszak XXXXXXXXXXXX, Depew XXXXX "

POLICE DEPARTMENT - Dog Warden Staff - \$6.00 per hour

Lauren Howlett XXXXXXXXXXXXXXXXXXXX, Depew XXXXX 07-07-98

Upon roll call

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

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

WHEREAS, funds are presently available under the Buffalo-Cheektowaga Tonawanda Consortium, Summer Youth Program, AND

WHEREAS, the Summer Youth Program starts on July 7th, 1998, participants are working a maximum of 24 hours per week, \$5.15 per hour, unless stated differently, and a termination date not to exceed August 30, 1998, NOW, THEREFORE, BE IT

RESOLVED, that the following persons will be hired based on availability from the Department of Labor and that the alternate portion may be utilized to meet the demographic requirements as stated in our plan submitted to the Department of Labor:

Gattie, Allison XXXXXXXXXXXXXXXXXXXX XXXXXXXXXXXX
Kazmierczak, Jason XXXXXXXXXXXXXXXXXXXX XXXXXXXXXXXX
Peterson Cynthia XXXXXXXXXXXXXXXXXXXX XXXXXXXXXXXX
Samol, Gretchen XXXXXXXXXXXXXXXXXXXX XXXXXXXXXXXX
Sirotski, Jillian XXXXXXXXXXXXXXXXXXXX XXXXXXXXXXXX
Smigiel, John XXXXXXXXXXXXXXXXXXXX XXXXXXXXXXXX

Upon roll call

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

Item No. 17e Moved by Councilmember Jaworowicz, seconded by Councilmember Mazur Councilmember Swiatek

WHEREAS, this Town Board previously created twelve (12) positions of Court Officer (Part-Time), NOW, THEREFORE, BE IT

RESOLVED, that the following individuals be and hereby are appointed to the position of Court Officer (Part-Time), effective immediately at a salary of \$12.50 per hour:

- Charles J. Seiler**
- Chauncey W. Stewart
- John E. Stronka
- John A. Lewandowski
- Paul R. Delano

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Edmund Suwinski, Jr.
Peter B. Gullo
Douglas R. Wilkowski

and, BE IT FURTHER

RESOLVED, that the following individual be and hereby is appointed to the position of Court Officer (Part-Time) with duties to be the supervisor in charge of scheduling the other court officers, effective immediately, at a salary of \$13.50 per hour:

Dominick P. Selvaggio



MOTION BY COUNCILMEMBER JAWOROWICZ, SECONDED BY COUNCILMEMBER JANKOWIAK TO AMEND THE ABOVE RESOLUTION, ITEM 17E, AND THE VOTING WAS AS FOLLOWS:

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 17e cont'd.



AMENDED

WHEREAS, this Town Board previously created twelve (12) positions of Court Officer (Part-Time), NOW, THEREFORE, BE IT

RESOLVED, that the following individuals be and hereby are appointed to the position of Court Officer (Part-Time), effective immediately at a salary of \$12.50 per hour:

Chauncey W. Stewart
John E. Stronka
John A. Lewandowski
Paul R. Delano
Edmund Suwinski, Jr.
Peter B. Gullo
Douglas R. Wilkowski

and, BE IT FURTHER

RESOLVED, that the following individual be and hereby is appointed to the position of Court Officer (Part-Time) with duties to be the supervisor in charge of scheduling the other court officers, effective immediately, at a salary of \$13.50 per hour:

Dominick P. Selvaggio

Upon roll call

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

NAYES: 0

ABSENT: 0

III. DEPARTMENTAL COMMUNICATIONS

Item No. 18 Building Permits
Received and Filed.

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Item No. 19a Minutes of Cheektowaga Planning Board - June 11, 1998
Received and Filed.

Item No. 19b Minutes of Cheektowaga Public Library Board - May 27, 1998
Received and Filed.

Item No. 20 Supervisor's Statement of Funds - May, 1998
Received and Filed.

Item No. 21 Letter of Resignation: Member of Zoning Board (Joseph Yantomasi)
Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 22a Notice of Claim: Don Ulatowski vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Police Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 22b Notice of Claim: Gwen McCullough vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Sewer Maintenance Department; Highway Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 22c Notice of Claim: Kristen Bogden 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. 22d Notice of Claim: Matthew Kessler vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Department of Youth and Recreational Services and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 22e Notice of Claim: Progressive Casualty Insurance Co. as subrogee of Cynthia Stachowiak
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Highway Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 23 Request to Speak: William Gangloff
Received and Filed.



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

Upon roll call

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



V. SUSPENSION OF RULES

Item No. 24 Moved by Councilmember Jaworowicz, seconded by Councilmember Swiatek

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

WHEREAS, a number of homes have been constructed within Phase I of the Emerald Gardens Subdivision and the Town Engineer has recommended that street light standards be installed within Phase I to illuminate the highway intersections and highway segments fronting developed lots, NOW, THEREFORE, BE IT

Item No. 24 cont'd.

RESOLVED, that the developer of the Emerald Gardens Subdivision is hereby authorized to install one (1) 5200 lumen H.P.S. post top luminaire, fiberglass standard and related conduit and conductors as required in conjunction with the development of the subject subdivision and, BE IT FURTHER

RESOLVED, that following final inspection by the Engineering Department, the New York State Electric & Gas Corporation be and hereby is authorized to connect one (1) 5200 lumen H.P.S. post top luminaire within said subdivision in the Town of Cheektowaga at an annual increase to the Town's General Lighting District of \$53.45 in accordance with the attached New York State Electric & Gas Corporation proposal dated May 1, 1998 which is hereby made a part of this resolution.

Upon roll call

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

*SEE NEXT PAGE FOR ATTACHMENT

MEETING NO. 14
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Item No. 25 Moved by Councilmember Mazur, seconded by Supervisor Gabryszak

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

WHEREAS, the Cheektowaga Cultural Society has made application to hold its Cultural Weekend in Cheektowaga Town Park on July 18-19, 1998, AND

WHEREAS, this Board has reviewed the application submitted by the Cheektowaga Cultural Society, which application has been approved by the Highway Department, Facilities Department, and Youth and Recreational Services Department, and has no objection to same, AND

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

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

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the Cheektowaga Cultural Society for its Cultural Weekend to be held on July 18-19, 1998 in Cheektowaga Town Park.

Upon roll call

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

Item No. 26 Moved by Councilmember Johnson, seconded by Supervisor Gabryszak

WHEREAS, the Reinstein Woods Nature Preserve is a 269.40 acre state nature preserve bounded generally by Como Park Boulevard, Losson Road, John C. Stiglmeier Park and Hitchcock Drive in this Town of Cheektowaga, New York, AND

WHEREAS, the Reinstein Woods, as well as the area within 400 feet of same, is identified as a critical environmental area in the Town Environmental Impact Review Ordinance, and, in addition, such areas are also identified as critical environmental impact zones in the Town's Zoning Law, AND

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WHEREAS, critical environmental areas and critical environmental impact zones preserve wetlands and trees, act as wildlife refuge areas and flood management areas, AND

WHEREAS, the New York State Department of Environmental Conservation (NYSDEC) has informed the Town that it is considering the purchase of "approximately 2.5 acres of privately owned wooded land at the rear of property located at 66 Hitchcock Drive . . . currently owned by Eugene J. and Alberta Dodolak and Samuel R. and Jeannette M. Frank, AND

WHEREAS, the aforesaid 2.5 acre parcel of land is one of the last wooded areas adjacent to the Reinstein Woods;

NOW, THEREFORE, BE IT RESOLVED, that by this resolution the Town Board of the Town of Cheektowaga signals its affirmative consent to the proposed acquisition of 2.5 acres of land adjacent to the Dr. Victor Reinstein Woods Nature Preserve as aforesaid and, BE IT FURTHER

Item No. 26 cont'd.

RESOLVED, that the Town Clerk is hereby directed to send a certified copy of this resolution to Mr. Gerald F. Mikol, DEC Region 9 Director, 270 Michigan Avenue, Buffalo, New York 14203, for consideration of, and forwarding to, Commissioner John P. Cahill.

Upon roll call

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

Item No. 27 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 Benderson Development Company Incorporated to develop a 31.3 acre site on Broadway to be known as the Broadway Development Park, AND

WHEREAS, the applicant is proposing to construct 305,000 square feet of warehouse/office space in a series of buildings within this park, AND

WHEREAS, the applicant will construct a 5± acre storm water detention facility at the south end of the park which will provide improved storm water management for this area of Broadway, AND

WHEREAS, the applicant will correct drainage deficiencies in this area through the replacement and lowering of an existing culvert beneath a Conrail railroad spur, AND

WHEREAS, the storm water will be directed to the west, away from the New York State Thruway, to satisfy the New York State Thruway Authorities concern that waters would be directed onto their right-of-way, AND

WHEREAS, the bio-remediation being conducted on the site must be completed prior to the issuance of any Certificates of Occupancy for any buildings on the site, AND

WHEREAS, the sanitary services will be accomplished through adjoining property by means of an easement or through the installation of a lift station, AND

MEETING NO. 14
JULY 6, 1998

WHEREAS, the Advisory Committee, at its meeting held on June 17, 1998 rendered the determination shown on the attached memo dated June 19, 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.

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. 28 Moved by Supervisor Gabryszak, seconded by Councilmember Johnson to adjourn this meeting in memory of Joseph Trojanowski, who served as Councilmember during the years of 1956 to 1967. This meeting was adjourned at 8:20 P.M.

Richard M. Moleski
Town Clerk

**TOWN OF CHEEKTOWAGA
MEETING NO. 15
July 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 July, 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 James J. Jankowiak
Councilmember Thomas Mazur

ABSENT: Councilmember Jeff Swiatek

Also present were: Richard M. Moleski, Town Clerk; James J. Kirisits, Town Attorney; Ronald Marten, Supervising Building and Plumbing Inspector; Robert McCarthy, Director of Employee Relations; Pat Wojcik, Director-Senior Services; Frank Max, Working Crew Chief, Sanitation Department; Judge Ron Kmiotek; Bruce Chamberlin, Chief of Police.

I. FROM THE TABLE

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

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 Benderson Development Company, Inc./Delta Sonic to rezone a 1.15 acre parcel known as 2285 Walden Avenue from M1-Light Manufacturing District to MS-Motor Service District, and

WHEREAS, the proposal is to construct a 4,300± square foot muffler/brake shop and 1,800± square foot oil lube shop and incorporate these as part of the services offered at the Delta Sonic facility, and

WHEREAS, the applicant had revised the plan to provide for safer on-site traffic movements, adjusted the driveways to comply with New York State Department of Transportation ("NYSDOT") standards and improve landscaping, and

WHEREAS, the Advisory Committee at its meeting held on March 18, 1998 rendered the determination shown on the attached memo dated March 19, 1998, and

WHEREAS, the 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: Councilmembers Jaworowicz, Rogowski, Johnson, Jankowiak and Mazur
NAYES: Supervisor Gabryszak
ABSENT: Councilmember Swiatek

**SEE NEXT PAGE(S) for ATTACHMENT

Item No. 3 Motion by Councilmember Johnson, Seconded by Councilmember Jaworowicz

**TOWN OF CHEEKTOWAGA
MEETING NO. 15
July 20, 1998**

WHEREAS, Delta Sonic Carwash Systems has petitioned for the rezoning from M1-Light Manufacturing District to MS-Motor Service District of property owned by it and located at 2275-2285 Walden Avenue, 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 April, 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

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 that the application of Delta Sonic Carwash Systems for the rezoning from M1-Light Manufacturing District to MS-Motor Service District of the property specified in the attached legal description be and the same is hereby approved, and BE IT FURTHER

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

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

**SEE NEXT PAGE(S) for ATTACHMENT

AFFIDAVIT - NEXT PAGE

II. RESOLUTIONS

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

**TOWN OF CHEEKTOWAGA
MEETING NO. 15
July 20, 1998**

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

GENERAL FUND

FROM:	0100-1420-4012	Printed Briefs	\$ 500.00
	0100-1420-4321	Computer Expense	500.00
	0100-1420-4321	Computer Expense	300.00
	0100-9501-9131	Bond Principal	10,000.00
	0100-3310-1437	Sign Maintenance Man	20,802.00
	0100-1910-4711	Contingency	4,698.00
	0100-7510-4051	Records Management	500.00
	0100-1110-1374	Clerk-Typist	56,000.00
	0100-1110-1303	Court Clerk	25,974.00
	0100-1910-4711	Contingency	16,595.00
TO:	0100-1420-4013	Law Books, Attorney	\$ 300.00
	0100-1420-4013	Law Books, Attorney	500.00
	0100-1420-4001	Office Supplies	300.00
	0100-1355-1391	Part-time Clerical	10,000.00
	0100-3310-1430	Sr Traffic Maintenance Worker	25,500.00
	0100-7510-4043	Maps, Records, Supplies	500.00
	0100-1110-1376	Senior Clerk Typist	56,000.00
	0100-1110-1309	Clerk to the Justices	42,569.00

HIGHWAY FUND

FROM:	0300-5141-1491	Part-time Laborer	\$ 6,000.00
TO:	0300-5141-1391	Part-time Clerical	\$ 6,000.00

SPECIAL DISTRICTS

FROM:	1500-8160-1352	Account Clerk	\$19,815.00
	2500-8125-4141	Chemicals	9,800.00
	2500-8125-4163	Gas, Oil, Grease	4,400.00
TO:	1500-8160-1376	Senior Clerk Typist	\$19,815.00
	2500-8125-4438	Sewer Repairs	14,200.00

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

Item No. 5 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 July 17, 1998 are hereby approved and made a part hereof:

GENERAL FUND	\$ 322,700.19
HIGHWAY FUND	17,377.18
TRUST & AGENCY	12,934.27
PART TOWN FUND	2,721.37
HUD CDBG FUND	33,021.76
HUD HOUSING REHABILITATION	16,450.00
RISK RETENTION FUND	10,388.07
SPECIAL DISTRICTS FUND	1,759,354.48
CAPITAL FUND	<u>499,441.81</u>
	\$2,674,389.13

Item No. 5 cont'd

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

**TOWN OF CHEEKTOWAGA
MEETING NO. 15
July 20, 1998**

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

WHEREAS, bids were duly received on June 17, 1998 as a result of advertisement for the Rehabilitation of the Harlem Road Trunk Sanitary Sewer in the Town of Cheektowaga in Sanitary Sewer District #3 and at one (1) location in Sanitary Sewer District #5, and

WHEREAS, bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter from Allan Blachowski, Principal Engineer Assistant, to the Town Board dated July 15, 1998, NOW, THEREFORE, BE IT

RESOLVED that the contract for the Rehabilitation of the Harlem Road Trunk Sanitary Sewer in Sanitary Sewer District #3 and one (1) location in Sanitary Sewer District #5 within the Town, as per said unit prices and as recommended by the Town Engineer is hereby awarded to:

Insituform Metropolitan
446 West 34th Street
New York, New York 10001

for a total contract amount for Items I - IV of \$271,706.90 covering repairs in Sanitary Sewer District #3 and Alternate A1-10", A2, A3-10" for a total contract amount of \$24,943.50 covering one (1) repair in Sanitary Sewer District #5 and BE IT FURTHER

RESOLVED that the costs for rehabilitation work have been budgeted in Capital Account #5826-1440-9802 and Sanitary Sewer District #5 Account #2500-8125-4543.

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

**SEE NEXT PAGE(S) for ATTACHMENT

Item No. 6b Motion by Councilmember Johnson, Seconded by Councilmember Rogowski

WHEREAS, bids were duly received on June 17, 1998 as a result of advertisement for the furnishing of single and multiple channel portable flow meters for monitoring sanitary sewer flow in the Town of Cheektowaga, and

WHEREAS, under a State Pollutant Discharge Elimination System Discharge Permit, the Town of Cheektowaga must undertake a multi-year flow monitoring program, and

**TOWN OF CHEEKTOWAGA
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WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter from Allan Blachowski, Principal Engineer Assistant, to the Town Board dated July 15, 1998, NOW, THEREFORE, BE IT

RESOLVED that the contract for furnishing single and multiple channel portable flow meters to the Town, as per said unit prices and as recommended by the Town Engineer, is hereby awarded to the following:

American Sigma, Inc.
11601 Maple Ridge Road
Medina, New York 14103
800 635-4566

and BE IT FURTHER

RESOLVED that funds have been budgeted for said flow meters in Account #2500-8125-2505.

ITEM I

Model 910

One (1)	\$3,410.00
Two (2) to Five (5)	\$3,231.00
Six (6) to Ten (10)	\$3,051.00

ITEM II

Model 920

One (1)	\$5,776.00
Two (2) to Five (5)	\$5,472.00
Six (6) to Ten (10)	\$5,168.00

ITEM III

Model 930

One (1)	\$8,198.00
Two (2) to Five (5)	\$7,767.00
Six (6) to Ten (10)	\$7,335.00

ITEM IV

Model 950

One (1)	\$4,583.00
Two (2) to Five (5)	\$4,342.00
Six (6) to Ten (10)	\$4,101.00

ITEM V

8" Band	\$100.00
10" Band	\$112.00
12" Band	\$130.00
15" Band	\$139.00

Item No. 6b cont'd

18" Band	\$148.00
21" Band	\$162.00
24" Band	\$175.00
30" Band	\$345.00
36" Band	\$391.00
42" Band	\$391.00
48" Band	\$425.00
54" Band	\$484.00

TOWN OF CHEEKTOWAGA
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ITEM VI

Battery	\$10.00
Charging Unit	\$64.00

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

NAYES: 0

ABSENT: Councilmember Swiatek

**SEE NEXT PAGE(S) for ATTACHMENT

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

WHEREAS, Walter Valencia, for Mobil Oil Corp., owner of the property, has made application and requested the rezoning of property located at 3550 Genesee Street from CM-General Commercial District to MS-Motor Service District, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on August 3, 1998 at 6:30 o'clock P.M. at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

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

TOWN OF CHEEKTOWAGA
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NAYES: 0
ABSENT: Councilmember Swiatek

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AFFIDAVIT - NEXT PAGE

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

WHEREAS, the Town is in need of a senior citizen van to be used by the Senior Services Department for transportation services for Senior Citizens, and

WHEREAS, 1998 Community Development Block Grant funds have been budgeted for the purchase of such a van, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and hereby is directed to publish the attached Notice to Bidders in the Cheektowaga Times, the Buffalo News and the Buffalo Challenger, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is designated as the official to open bids for such van on August 4, 1998 at 11:00 A.M. in the Town Hall Council Chambers.

TOWN OF CHEEKTOWAGA
MEETING NO. 15
July 20, 1998



NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town of Cheektowaga for the purchase of one (1) new and unused 1999 Van for use by the Senior Services Department.

Plans and specifications may be obtained from the Town Clerk's Office at Cheektowaga Town Hall, 3301 Broadway Avenue at Union Road, Cheektowaga, New York during regular business hours.

The envelope containing the bid must be sealed in an envelope plainly marked "BIDS FOR VANS FOR SENIOR SERVICES DEPARTMENT", and be delivered to the Town Clerk's Office no later than 11:00 A.M. on August 4, 1998.

Bid proposals will be publicly opened and read at a bid opening to be held in the Cheektowaga Town Hall Council Chambers on August 4, 1998 at 11:00 A.M.

The Town reserves the right to reject any and all bids and to waive informalities if it is deemed to be in the best interest of the Town.

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

RICHARD M. MOLESKI
Town Clerk

Dated: July 20, 1998



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

AFFIDAVIT - NEXT PAGE

Item No. 8b Motion by Councilmember Jankowiak, Seconded by Councilmember Rogowski
Councilmember Jaworowicz

WHEREAS, the Sanitation Department is in need of a 1999 Ford Chassis F550 Dump Truck, NOW, THEREFORE, BE IT

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

RESOLVED that the sealed bids will be received by the Town of Cheektowaga on August 4, 1998 at 11:00 A.M., Eastern Daylight Savings Time, at which time they will be publicly opened and read. _

TOWN OF CHEEKTOWAGA
MEETING NO. 15
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NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on August 4, 1998 at 11:00 A.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Roads, for the purchase of a 1999 Ford Chassis F550 Dump Truck for the Sanitation Department.

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

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

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

RICHARD M. MOLESKI
Town Clerk

Dated: July 20, 1998



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

AFFIDAVIT - NEXT PAGE

Item No. 9 Motion by Councilmember Johnson, Seconded by Councilmember Jankowiak

WHEREAS, the Roof Replacement Project at the Main Pump Station was awarded by Town Board Resolution dated March 2, 1998 to Jameson Roofing Co., Inc., in the amount of \$51,199.00, and

WHEREAS, Nussbaumer & Clarke, Project Engineers, and the Town Engineer have recommended the approval of Change Order No. 1 (Final) for the elimination of disposal work for the existing sloped concrete fill at the roofs, elimination of the installation of retrofit drains, and the elimination of proposed aluminum flashing, as further outlined and detailed in the change order document, NOW, THEREFORE, BE IT

RESOLVED that Change Order No. 1 (Final) in the amount of -\$2,630.00 as a deduction to the contract of

Jameson Roofing Co., Inc.

**TOWN OF CHEEKTOWAGA
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3761 East Lake Road
Dunkirk, New York 14048

be and hereby is approved, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized and directed to execute said Change Order No. 1 (Final) on behalf of this Town Board.

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

Item No. 10a Motion by Councilmember Mazur, Seconded by Supervisor Gabryszak

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

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

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

RESOLVED that the Town of Cheektowaga enter into the attached agreement which commenced January 1, 1998 and terminates December 31, 1998 with the County of Erie concerning its STOP-DWI program, and BE IT FURTHER

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

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

**SEE NEXT PAGE(S) for ATTACHMENT

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

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, pursuant to requirements of such grant, the Town must follow certain procedures before it can retain an engineering consultant for this project, and

WHEREAS, a Consultant Selection Committee has been designated, and

WHEREAS, the Town has published a Notice of Receipt of Proposals, and

WHEREAS, the Consultant Selection Committee has received and evaluated such proposals and selected WENDEL as being the best qualified engineering consultant for this project, and

**TOWN OF CHEEKTOWAGA
MEETING NO. 15
July 20, 1998**

WHEREAS, WENDEL has submitted a proposal for professional services associated with this project for the fixed sum of \$63,990.00, and

WHEREAS, the proposal has been reviewed by Allan Blachowski, Project Manager, and Walter Domino, Assistant Town Engineer, and found to be acceptable, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is directed to execute an agreement with WENDEL on this matter contingent on approval of the agreement by the New York State Department of Transportation as required, and BE IT FURTHER

RESOLVED that funds for this project have been budgeted in Account #5705-1440-9607.

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

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

WHEREAS, continuous complaints have been received by the Town Board regarding weeds and accumulated debris on vacant property located at 3251 Broadway Street, Cheektowaga, New York, SBL#102.46-5-1 and according to the Assessor's Office is owned by Illiana Wisniewski, 3251 Broadway Street, Cheektowaga, New York 14227, and

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

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

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

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

WHEREAS, continuous complaints have been received by the Town Board regarding weeds and accumulated debris on vacant property located at 241-247 Cleveland Drive, Cheektowaga, New York, SBL# 80.17-15-1.11 and according to the Assessor's Office is owned by Norman R. & Arlene Hamann, 19 Fredro Street, Buffalo, New York 14206, and

Item No. 11b cont'd

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

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

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

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

WHEREAS, the Town of Cheektowaga has received notification of an unsafe, abandoned structure at 33 Elaine Court, Cheektowaga, New York, SBL# 90.07-1-4 that is unsecured,

**TOWN OF CHEEKTOWAGA
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July 20, 1998**

open to unauthorized entry and a danger to the safety of others, and according to the Assessor's Office is owned by Ronald A. Guile, P.O. Box 1945, Cheektowaga, New York 14225-8745, and

WHEREAS, these conditions required that the Town of Cheektowaga Housing and Neighborhood Preservation Office take immediate steps to safeguard and secure the south side entrance door in the vacant structure to protect the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that all openings in this structure were boarded over and secured on July 10, 1998 and all costs incurred will be assessed against the property hereinbefore described.

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

Item No. 11d Motion by Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, continuous complaints have been received by the Town Board regarding weeds and accumulated debris on vacant property located at 75 Pine Ridge Road, Cheektowaga, New York, SBL# 101.60-4-43 and according to the Assessor's Office is owned by Stephania Bochynski, Cheektowaga, New York 14211, and

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

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

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

Item No. 11e Motion by Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, continuous complaints have been received by the Town Board regarding weeds and accumulated debris on vacant property located on the corner of Vern Lane and William, Cheektowaga, New York, SBL# 113.57-2-15 and according to the Assessor's Office is owned by Tarun K. Ohri, 161 Brooklyn Street, Warsaw, New; York 14569, and

Item No. 11e cont'd

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

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

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

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

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

**TOWN OF CHEEKTOWAGA
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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.

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

**SEE NEXT PAGE(S) for ATTACHMENT

Item No. 13a Motion by Councilmember Mazur, Seconded by Councilmember Rogowski

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

EFFECTIVE

FACILITIES DEPARTMENT

Steven Cody

Immediately

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

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

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

Kimberly Beneduce
Daniel Cipolla
Alan Jachimiak
Angela Krezmein

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Christopher Kubala
Stacey Lubacz
Steve Morath
Kevin Rudnicki
Christine Schwartz
Heather Solecki

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

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

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

EFFECTIVE

FACILITIES DEPARTMENT - \$6.00 PER HOUR - LABORER

Brian Gast XXXXXXXXXXXXXXXXXXXX., Cheektowaga, NY XXXXXX 7/21/98
Jason Darman XXXXXXXXXXXXXXXXXXXX., Cheektowaga, NY XXXXXX "

TAX OFFICE - \$5.25 PER HOUR - CLERK (Night Shift)

Jean Krzykowski XXXXXXXXXXXXXXXXXXXX, Cheektowaga, NY XXXXXX "

RECYCLING DEPARTMENT - \$6.00 PER HOUR - LABORER

Gregory Saxe XXXXXXXXXXXXXXXXXXXX Cheektowaga, NY XXXXXX 7/09/98
Richard Booker XXXXXXXXXXXXXXXXXXXX, Cheektowaga, NY XXXXXX 7/21/98

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

Item No. 14b Motion by Councilmember Rogowski, Seconded by Supervisor Gabryszak

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

Basketball - 7140.1654

Recreation Attendant IV - \$5.90

Christian Wild XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

Recreation Attendant IV - \$5.90

Jamie Hathaway XXXXXXXXXXXXXXXXXXXXXXXX

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

Item No. 15 Hiring of part-time employees - various departments
This item was withdrawn.

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

WHEREAS, vacancies exist in the position of Police Officer in the Town of Cheektowaga, and

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

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

Christine N. Newman
Douglas A. Heath
Brian F. Coons

and BE IT FURTHER

RESOLVED that said appointments shall become effective July 23, 1998 and are subject to verification of compliance with the Residency Law of the Town of Cheektowaga.

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

Item No. 16b Motion by Councilmember Mazur, Seconded by Councilmember Jankowiak

WHEREAS, three temporary vacancies exist in the position of Laborer's Aide in the Recycling Department, and

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

WHEREAS, Dennis Szafranski, Donald Karl and John Balbuzoski applied for said vacancy and meet all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED that

Dennis Szafranski of XXXXXXXX, Sloan, NY XXXXX
Donald Karl of XXXXXXXXXXXX, Cheektowaga, NY XXXXX, and
John Balbuzoski of XXXXXXXXXXXXXXXX, Cheektowaga, NY XXXXX

Item No. 16b cont'd

be and hereby are appointed to the temporary vacancies of Laborer's Aide in the Recycling Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective immediately.

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

Item No. 16c Motion by Councilmember Mazur, Seconded by Councilmember Rogowski

WHEREAS, a temporary vacancy exists in the position of General Mechanic in the Facilities 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, Richard Latshaw, currently employed as a Cleaner in the Building Maintenance Department, bid on said vacancy and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED that Richard Latshaw of XXXXXXXXXXXXXXXX, Cheektowaga, XXXXX be and hereby is appointed to the temporary position of General Mechanic in the Facilities Department in

**TOWN OF CHEEKTOWAGA
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accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective July 21, 1998.

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

Item No. 16d Motion by Councilmember Mazur, Councilmember Jankowiak

WHEREAS, a vacancy exists in the position of Laborer in the Sanitation Department, and

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

WHEREAS, James McCloskey currently employed as a Light Motor Equipment Operator - B in the Recycling Department, bid on said vacancy and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED that James McCloskey of XXXXXXXXXXXXXXXX, Cheektowaga, XXXXX be and hereby is appointed to the position of Laborer in the Sanitation Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective July 21, 1998.

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

Item No. 16e Motion by Councilmember Mazur, Seconded by Councilmember Johnson

WHEREAS, a vacancy exists in the position of Sewer Maintenance Worker in the Sewer Maintenance Department, and

Item No. 16e cont'd

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, Bernie Kotarsk currently employed as a Traffic Maintenance Worker in the Police Department, bid on said vacancy and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED that Bernie Kotarski of XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX, Holland XXXXX be and hereby is appointed to the position of Sewer Maintenance Worker in the Sewer Maintenance Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective July 21, 1998.

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

III. DEPARTMENTAL COMMUNICATIONS

Item No. 17 Comprehensive Annual Financial Report for the Town of Cheektowaga Received and Filed.

Item No. 18 Office of Disaster Preparedness - Quarterly report from April to June, 1998

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Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 19a NYSDOT - Designation of Restricted Highway - Portion of Harlem Road south to Kensington to North of Main St. (Route 5)
Copies were sent to: Dennis H. Gabryszak, Supervisor; Town Board, Highway Department, Traffic Safety Commission.
Received and Filed.

Item No. 19b NYSDOT - Designation of Restricted Highway - Union Road from French Road to north of Como Park Blvd.
Copies were sent to: Dennis H. Gabryszak, Supervisor; Town Board, Highway Department, Traffic Safety Commission.
Received and Filed.

Item No. 20a Notice of Claim - Debora A. Berry vs Town of Cheektowaga
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. 20b Notice of Claim - Jennifer Ciaudella vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council Office; Allied Claims, Insurance Company; Sewer Maintenance Department; Highway Department
Received and Filed.

V. SUSPENSION OF RULES

Motion by Supervisor Gabryszak, Seconded by Councilmember Mazur to suspend the rules to include the following three (3) resolutions, and the voting was as follows:

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

Item No. 21 Motion by Councilmember Rogowski, Seconded by Councilmember Jaworowicz

WHEREAS, bids were duly received by this Town Board at a public bid opening held on July 17, 1998 for the purchase of two (2) New and Unused 1998 or 1999 Model, One Ton, Dump Trucks with Front Snow Plows, as a result of advertisement thereof, and such bids were referred to the Superintendent of Highways for analysis, 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 two (2) new and unused 1998 or 1999 Model, One Ton, Dump Trucks, with Snow Plows be awarded to DeLACY Ford, Inc., 3061 Transit Road, Elma, NY 14059 at a total bid price after trade-in of \$49,928.00, said bidder being the lowest responsible bidder meeting specifications, and BE IT FURTHER

RESOLVED that monies be charged to line item 0300-5130-2407.

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

Item No. 22 Motion by Councilmember Rogowski, Seconded by Councilmember Jaworowicz

WHEREAS, bids were previously advertised for One (1) New and Unused, 1998 or 1999 Model 4x4, 4 Door Utility Vehicle for use by the Cheektowaga Highway Department, and

WHEREAS, no bid proposals were received, the Town Clerk is directed to publish a Notice to Bidders for the purchase of one (1) new and unused, 1998 or 1999 Model 4x4, 4 door utility vehicle 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, NY 14227, between the hours of 9:00 AM and 4:30 PM, Monday through Friday and BE IT FURTHER

RESOLVED that the Town Clerk is hereby designated as the officer to open bids on the aforesaid items at 11:00 am on July 31, 1998.



TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN, that the Town of Cheektowaga Highway Department will receive proposals for the purchase of One (1) new and unused 1998 or 1999 Model, 4x4, 4 door, Utility Vehicle for use of the Highway Department, at a bid opening to be held in the Council Chambers at the Cheektowaga Town Hall on July 31, 1998 at 11 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, NY. Bids must be enclosed in an opaque envelope plainly marked "BIDS FOR ONE (1) NEW AND UNUSED 1998 or 1999 MODEL 4x4, 4 DOOR UTILITY VEHICLE".

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: July 20, 1998

Published: July 23, 1998



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

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**TOWN OF CHEEKTOWAGA
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Item No. 23 Motion by Councilmember Mazur, Seconded by Councilmember Rogowski

WHEREAS, the Town of Cheektowaga has previously provided a Housing Rehabilitation loan to the owner of the property located at 108 Helen Street, Cheektowaga, New York, and

WHEREAS, the owner of said property has applied for a mortgage loan from Rochester Community Savings Bank for the purpose of refinancing existing mortgage debt and home-improvement related expenses at a lower interest rate, and

WHEREAS, Rochester Community Savings Bank has condition approval of the mortgage on the subordination of the Town's mortgage to that of Rochester Community Savings Bank, and

WHEREAS, the Community Development Director has reviewed the request and has recommended approval of the subordination under a waiver of subordination guidelines governing debt to value ratio in order to allow for additional rehabilitation work to bring the property into compliance with Town Housing Standards and to protect the Town's mortgage interest in the property, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized to execute a Subordination Agreement with Rochester Community Savings Bank, 45 Earhart Drive, Williamsville, New York 14221 as recommended by the Town Director of Community Development in relation to the Town's Housing Rehabilitation loan secured by a mortgage on the property located at 108 Helen Street, Cheektowaga, New York.

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

Item No. 24 Motion by Supervisor Gabryszak, Seconded by Unanimous to adjourn the meeting in memory of Julia Boyer Reinstein, former Town Historian, Jack Person, Queen of Martyrs, and Melvin Sliwinski, dedicated and popular businessman in Cheektowaga.

**TOWN OF CHEEKTOWAGA
MEETING NO. 15
July 20, 1998**

Time Meeting Adjourned: 7:45 P.M.

RICHARD M. MOLESKI
Town Clerk

TOWN OF CHEEKTOWAGA
MEETING NO. 16
AUGUST 3, 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 3rd day of August, 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

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Robert McCarthy, Coordinator of Employee Relations; Salvatore LaGreca, Planning Board Chairman; William Pugh, Town Engineer; Robert Kaczmarek, Supervising Accountant; James J. Kirisits, Town Attorney; Ronald Marten, Building and Plumbing Inspector; Patricia Wojcik, Director of Senior Services; Ronald Kmiotek, Town Justice; Thomas Rowan, Police Captain; William Conway, Town Assessor; Frank Max, Working Crew Chief-Sanitation/Recycling Department; Dennis Gorski, County Executive; William Stachowski, New York State Senator; Paul Tokasz, Assemblyman; Raymond Dusza; Erie County Legislator; Kenneth Pokarski, Mayor of Sloan; and Joseph Przemielewski, President of the William Street Taxpayers Association.

I. RESOLUTIONS

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

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

GENERAL FUND

From:	0100-1110-4001	Office Supplies	\$ 175.00
	0100-1430-4431	Maintenance Repairs	300.00
	0100-1430-4051	Records Management	600.00
To:	0100-1110-4431	Maintenance	\$ 175.00
	0100-1430-4001	Office Supplies	300.00
	0100-1430-4001	Office Supplies	600.00

SPECIAL DISTRICTS FUND

From:	2300-8123-4821	Contracted Sewer Repairs	\$ 3,000.00
	1500-8160-4468	Composting	36,000.00
	2500-8125-4545	Telemetry	7,000.00
	2500-8125-2505	Other Equipment	5,000.00
To:	2300-9950-8001	Interfund Transfers	\$ 3,000.00
	1500-8160-2501	Misc. Equipment	36,000.00
	2500-8125-9990	Transfer to Capital Fund	12,000.00

Upon roll call

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

NAYES: 0

ABSENT: 0

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

MEETING NO. 16
AUGUST 3, 1998

BE IT RESOLVED, that the following Vouchers and Warrants that were submitted to the Town of Cheektowaga prior to July 31, 1998 are hereby approved and made a part hereof:

GENERAL FUND	\$ 746,689.06
HIGHWAY FUND	254,627.07
TRUST & AGENCY	14,513.25
PART TOWN FUND	9,311.15
DEBT SERVICE FUND	718,588.00
HUD CDBG FUND	977.32
HUD HOUSING REHABILITATION	26,120.00
RISK RETENTION FUND	55,245.24
SPECIAL DISTRICTS FUND	551,020.77
CAPITAL FUND	<u>153,571.05</u>
	\$2,530,662.91

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 4 Bond: Acquisition and Installation of Fuel Storage Tanks

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*SEE NEXT PAGE FOR ATTACHMENT

Item No. 5 Moved by Councilmember Swiatek, seconded by Councilmember Johnson

MEETING NO. 16
AUGUST 3, 1998

WHEREAS, William R. Decker has made application and requested the Rezoning from M1-Light Manufacturing District to CM-General Commercial District for property located at 6700 Transit Road, NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on August 17, 1998 at 6:30 P.M. at the Cheektowaga Town Hall, 3301 Broadway at the corner of Union Road.

Upon roll call

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

NAYES: 0

ABSENT: 0

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Item No. 6a Moved by Councilmember Jankowiak, seconded by Councilmember Mazur

MEETING NO. 16
AUGUST 3, 1998

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for modifications and upgrading of Town-owned fuel storage and dispensing facilities at various sites, which were publicly opened on July 22, 1998, AND

WHEREAS, said bids were referred to the Town Engineer and to Nussbaumer & Clarke, Inc., project consulting engineers, for analysis, tabulation and report, which analysis, tabulation and report is hereto attached and contained in a letter from the Engineering Department dated July 30, 1998, AND

WHEREAS, said report recommends that the contract for upgrading Town-owned underground fuel storage and dispensing facilities be awarded to Orchard Earth and Pipe for their submission of the lowest bid meeting the requirements of the specifications, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the aforementioned project be and hereby is awarded to:

Orchard Earth and Pipe
550 Charles Avenue
Syracuse, New York 13209

for the bid price of \$595,529.00, 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 directed to sign said agreement with Orchard Earth and Pipe Corporation for the aforesaid contract and, BE IT FURTHER

RESOLVED, that the funding for said project shall be chargeable to Account No(s):

5702-1440-9603
5702-1440-9604
5703-1440-9605

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. 6b Moved by Councilmember Johnson, seconded by Councilmember Rogowski

MEETING NO. 16
AUGUST 3, 1998

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for improvements to the traffic signal system at the intersection of Pine Ridge Road and Doat Street, which bids were publicly opened on July 22, 1998, AND

WHEREAS, said bids were referred to the Town Engineer and to EMS Consulting for analysis, tabulation and report, which analysis, tabulation and report is hereto attached and contained in a memorandum from the Town Engineering Department dated July 29, 1998, AND

WHEREAS, said report recommends that the contract for traffic signal improvements at the aforesaid intersection be awarded to Omer Construction Co. Inc. for submission of the sole bid meeting the requirements of the specifications, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the installation of Traffic Signal Improvements at the Intersection of Pine Ridge Road and Doat Street be and hereby is awarded to:

Omer Construction co., Inc.
621 Aero Drive, Cheektowaga, New York 14225

for the bid price of \$35,951.00, said bid being the sole 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 the agreement with Omer Construction Co., Inc. for the aforesaid contract and, BE IT FURTHER

RESOLVED, that funding for said project shall be chargeable to Account No: 5704-1140-9606.

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. 6c Moved by Councilmember Rogowski, seconded by Councilmember Jaworowicz

WHEREAS, bids were duly received by this Town Board at a public bid opening held on July 31, 1998 for the purchase of One (1) New and Unused, 1998 or 1999 Model, 4X4, 4 Door Utility

MEETING NO. 16
AUGUST 3, 1998

Vehicle, as a result of advertisement thereof, and such bids were referred to the Superintendent of Highways for analysis, 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 or 1999 Model, 4X4, 4 Door Utility Vehicle be awarded to Bison Truck Center, Inc., 2370 Walden Avenue, Cheektowaga, New York 14225 at a total bid price after trade-in of \$16,885.00, 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. 7 Moved by Councilmember Swiatek, seconded by Councilmember Mazur,

WHEREAS, by resolution dated April 6, 1998 this Town Board appointed Commonwealth Sport Fund, LLC ("Commonwealth") as the Designated Developer of a golf course on Town-owned land located south of Genesee Street, east of Sonwil Drive and north and west of Rehm Road, AND

WHEREAS, this Town Board, by said resolution, also approved entering into a Memorandum of Understanding with Commonwealth wherein the Town agreed in general terms to enter into a lease with Commonwealth for the use of such Town-owned land for golf course purposes, AND

WHEREAS, the State Legislature and Governor have now approved legislation authorizing the Town to enter into a lease with Commonwealth, AND

WHEREAS, the Town wishes to expeditiously and responsibly negotiate a lease with Commonwealth, which lease would consider and protect the interests of the Town and its taxpayers, AND

WHEREAS, in order to negotiate such lease, it is critical that there be a diversity of input from various Town officials and departments, and that a negotiating committee composed of such various Town officials and departments be designated to negotiate a lease with Commonwealth, NOW, THEREFORE, BE IT

RESOLVED, that the following Town officials, department heads, etc. be and hereby are designated to serve on the Negotiating Committee for purposes of negotiating the above referenced lease with Commonwealth:

- Supervisor Dennis H. Gabryszak
- Councilmember William P. Rogowski
- Councilmember Thomas M. Johnson, Jr.
- Councilmember James J. Jankowiak
- Supervising Accountant Robert E. Kaczmarek
- Town Attorney James J. Kirisits
- Any other Town officials or employees deemed necessary by the above named members of the negotiating committee, which additional individuals shall serve as ad hoc members of the negotiating committee

and, BE IT FURTHER

Item No. 7 cont'd.

RESOLVED, that all Town Board members shall be notified of and invited to all Negotiating Committee meetings and work sessions and, BE IT FURTHER

MEETING NO. 16
AUGUST 3, 1998

RESOLVED, that such Negotiating Committee shall conduct and coordinate lease negotiations on behalf of the Town at times and places convenient for all members of the Negotiating Committee and, BE IT FURTHER

RESOLVED, that the Negotiating Committee shall regularly and comprehensively update all members of the Town Board on the progress and status of negotiations with Commonwealth and, BE IT FURTHER

RESOLVED, that the Negotiating Committee be and hereby is authorized to discuss and coordinate lease provisions with the Town's outside counsel, Hawkins, Delafield & Wood to protect the interests of the Town and, BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward copies of this resolution to Commonwealth and to members of the Negotiating Committee.

Upon roll call

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

Item No. 8a Moved by Supervisor Gabryszak, seconded by Councilmember Rogowski

WHEREAS, the Polish American Arts Festival Committee has made application to hold the Polish American Arts Festival from August 14 - 16, 1998 in Cheektowaga Town Park, AND

WHEREAS, the Board has reviewed the application submitted by the Polish American Arts Festival Committee, which application has been approved by the Building, Highway, Facilities, Youth and Recreation and Police Departments, and has no objection to same, AND

WHEREAS, the following sponsor contributions have assured the success of this Festival:

- New York State Council on the Arts
- Town of Cheektowaga
- The Chase Manhattan Bank
- Key Bank
- M & T Bank
- Joe Dash & Sons Tops Markets
- Fleet Bank
- Walmart, and

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

1. Requirement that application be made at least 60 days prior to the date of the special event.

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the Polish American Arts Festival.

Upon roll call

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

Item No. 8b Moved by Councilmember Jankowiak, 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

MEETING NO. 16
AUGUST 3, 1998

WHEREAS, the Buffalo AFL-CIO Council and the United Way of Buffalo & Erie County have made application to hold their Annual Labor Day Parade on Harlem Road, from Walden Avenue to Cheektowaga Town Park, on Monday, September 7, 1998, beginning at 12:00 noon, AND

WHEREAS, this Board has reviewed the application submitted by the Buffalo AFL-CIO Council and the United Way of Buffalo & Erie County, which application has been approved by the Police Department, and has no objection to same, AND

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

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

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the Buffalo AFL-CIO Council and the United Way of Buffalo & Erie County for its parade to be held on Monday, September 7, 1998 and, BE IT FURTHER

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

Upon roll call

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

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

WHEREAS, Sky Harbor Corporation has requested the New York State Department of Transportation ("DOT") to install a traffic signal on Genesee Street at Harmony Lane, a private street within the Sky Harbor Mobile Home Park, AND

WHEREAS, the DOT has indicated that it will approve the installation of such traffic signal provided that Sky Harbor Corporation erects appropriate signage at the Tadio Parkway and Tammy Lane accesses to the mobile home park to divert traffic to the Harmony Lane access, AND

WHEREAS, Sky Harbor has agreed to the DOT request, AND

WHEREAS, residents of the mobile home park have repeatedly expressed their desire to have such signal installed, AND

WHEREAS, the Cheektowaga Traffic Safety Commission, the Town Planning Board, the Town Police Department and Hy-View Volunteer Fire Department have reviewed this matter and overwhelmingly are in favor of the installation of such traffic signal, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby expresses its support for the installation of the aforementioned traffic signal and, BE IT FURTHER

RESOLVED, that this Town Board hereby memorializes the DOT to approve the installation of such traffic signal and, BE IT FURTHER

Item No. 9 cont'd.

RESOLVED, that the Town Clerk be and hereby is directed to forward a certified copy of this resolution to the DOT, 125 Main Street, Buffalo, New York 14203.

Upon roll call

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

MEETING NO. 16
AUGUST 3, 1998

NAYES: 0
ABSENT: 0

Item No. 10a 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 LBM Construction, Incorporated for the construction of a 3,200 square foot addition to Derrick Manufacturing at 590 Duke Road, AND

WHEREAS, an addition will expand an existing test lab, AND

WHEREAS, Derrick Manufacturing has demonstrated that there is in place procedures to deal with hazardous materials spills and other emergencies, AND

WHEREAS, the required discharge permits, for liquid wastes resulting from testing, are current and valid, AND

WHEREAS, the Advisory Committee, at its meeting held on July 29, 1998 rendered the determination shown on the attached memo dated July 30, 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 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. 10b 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

MEETING NO. 16
AUGUST 3, 1998

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 APD Engineering to rezone 4874-4876 Transit Road from R-Residence District to MS-Motor Service District for the purpose of constructing a 4,700 square foot Monro Muffler facility, AND

WHEREAS, the applicant would rezone a depth of 300 feet and would convey the rear 2± acre to the Town for drainage and environmental purposes, AND

WHEREAS, additional landscaping is proposed based upon a request of the Planning Board, AND

WHEREAS, the applicant has shown that there would be no noise disseminating beyond the property line and had committed to keeping the doors closed to further reduce the amount of noise, AND

WHEREAS, the Planning Board has recommended approval of the rezoning and landscaping plan, AND

WHEREAS, the Advisory Committee, at its meeting held on May 20, 1998 rendered the determination shown on the attached memo dated May 26, 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 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. 10c 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

MEETING NO. 16
AUGUST 3, 1998

WHEREAS, an application was submitted by Benderson Development Company Incorporated to demolish a 17,600 square foot truck terminal at 3154 Union Road and construct two mini-storage buildings totaling 13,500 square feet, AND

WHEREAS, these buildings would be a continuation of the existing mini-storage facility adjacent to the truck terminal, AND

WHEREAS, as part of the project additional landscaping will be installed, AND

WHEREAS, the Advisory Committee, at its meeting held on July 29, 1998 rendered the determination shown on the attached memo dated July 30, 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 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. 10d 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

MEETING NO. 16
AUGUST 3, 1998

WHEREAS, an application was submitted by the Town Engineer to construct a new sanitary sewer line at Union Road and George Urban Boulevard, AND

WHEREAS, the sewer line will replace an existing line in poor condition, AND

WHEREAS, the Town must obtain approvals from various agencies prior to construction, AND

WHEREAS, in order to obtain these approvals the Town must meet all conditions set forth by the agencies, AND

WHEREAS, the Advisory Committee, at its meeting held on July 29, 1998 rendered the determination shown on the attached memo dated July 30, 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 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. 11 Moved by Councilmember Mazur, seconded by Councilmember Swiatek

WHEREAS, a resolution adopted by the Town Board at the July 20, 1998 Town Board meeting pertaining to weeds and accumulated debris on vacant property known as 3251 Broadway Street be amended, NOW, THEREFORE, BE IT

RESOLVED, that the property identification account number be amended to read 102.04-3-33.

Upon roll call

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

NAYES: 0

ABSENT: 0

MEETING NO. 16
AUGUST 3, 1998

Item No. 12a Moved by Councilmember Mazur, seconded by Councilmember Swiatek

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 33 Elaine Court, Cheektowaga, New York, SBL #91.07-1-4 and according to the Assessors' Office is owned by Ronald A. Guile, P.O. Box 1945, Cheektowaga, New York 14225, AND

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

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

Upon roll call

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

Item No. 12b Moved by Councilmember Mazur, seconded by Councilmember Swiatek

WHEREAS, continuous complaints have been received by the Town Board regarding weeds and accumulated debris on vacant property located at 156 Southcrest Avenue, Cheektowaga, New York, SBL #91.20-3-37 and according to the Assessors' Office is owned by Melvin D. Brown, 2880 Eagles Nest Road, Delevan, New York 14042, AND

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

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

Upon roll call

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

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

WHEREAS, the Town of Cheektowaga has received \$7,500.00 from Erie County to increase its service to "at risk" youth as a result of savings in the PIN/JD Diversion Program; AND

Item No. 13a cont'd.

WHEREAS, the Department of Youth and Recreational Services has determined that children from the single parent families which comprise almost seventeen percent of our total households are, oftentimes, considered to be "at risk"; AND

WHEREAS, the Be-A-Friend Big Brother/Big Sister Program, with twenty-six years of experience in providing positive youth/adult mentoring relationships, can provide all required services necessary to provide six such relationships for said amount, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached agreement with Be-A-Friend, Inc. to provide said service.

BUDGET LINE ITEM: 7140.4489

Upon roll call

MEETING NO. 16
AUGUST 3, 1998

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

*SEE NEXT PAGE FOR ATTACHMENT

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

WHEREAS, the New York State Department of Transportation ("DOT") is in the process of reconstructing Genesee Street from the City line to Union Road, AND

WHEREAS, the Town of Cheektowaga owns property at 3409 Genesee Street (Maryvale Community Center) and signs at 2289 Genesee Street, and on Genesee Street east of Pine Ridge Terrace, AND

WHEREAS, the DOT has notified the Town that it needs to acquire the aforementioned Town-owned property and signs in order to reconstruct Genesee Street, and has offered the Town \$2,975.00 for such property and signs, AND

WHEREAS, the Town Engineering and Facilities Departments have reviewed the proposed acquisitions of Town-owned property and signs by the DOT and have indicated that such acquisition will not interfere with the Town's use of such property, NOW, THEREFORE, BE IT

MEETING NO. 16
AUGUST 3, 1998

RESOLVED, that the Supervisor be and hereby is authorized to execute Agreements of Adjustment with the DOT for the above referenced property and signs and, BE IT FURTHER

RESOLVED, that moneys paid to the Town by the DOT for the Town-owned signs (\$1,050.00) shall be deposited into Facilities Department budget line item number 7110-4451.

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 Councilmember Rogowski

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

EFFECTIVE

RECYCLING DEPARTMENT

William Kotarski
James Biggins

Upon roll call

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

Item No. 15 Moved by Councilmember Rogowski, seconded by Supervisor Gabryszak

WHEREAS, the following Youth and Recreation employee was originally assigned to the wrong pay grade, BE IT

RESOLVED, that she be transferred as indicated (Seasonal):

From Pool Supervisor - Step I to Pool Supervisor - Step 3 - \$9.19 - 7180.1902
(retroactive to May 4, 1989)

Jacqueline Houser

Upon roll call

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

Item No. 16a Moved by Councilmember Mazur, seconded by Supervisor Gabryszak

BE IT RESOLVED, that Jessica Ball, residing at XXXXXXXXXXXXXXXX, Cheektowaga, New York, be and hereby is appointed to the position of Clerk to the Supervisor, Par-Time, at a wage of \$10.05 per hour, effective immediately.



MOTION BY COUNCILMEMBER JAWOROWICZ, SECONDED BY COUNCILMEMBER JANKOWIAK TO TABLE THE ABOVE RESOLUTION, ITEM 16A, AND THE VOTING WAS AS FOLLOWS:

Upon roll call

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

MEETING NO. 16
AUGUST 3, 1998

This Resolution was Tabled.



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

WHEREAS, this Town Board previously created twelve (12) positions of Court Officer (Part-Time), NOW, THEREFORE, BE IT

RESOLVED, that the following individual be and hereby is appointed to the position of Court Officer (Part-Time), effective immediately at a salary of \$12.50 per hour:

Philip Conti, Jr. XXXXXXXXXXXXXXXX Cheektowaga, New York XXXXX

Upon roll call

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

Item No. 17 Moved by Councilmember Mazur, seconded by Councilmember Johnson

WHEREAS, the Town desires to retain the services of a planning consultant for design of handicapped-accessible playground structure in the Cedargrove Heights neighborhood, AND

WHEREAS, cost proposals were solicited from various licensed landscape architects, AND

WHEREAS, the Town has received a proposal from Frank T. Brzezinski & Associates, Registered Landscape Architect, for the desired services, AND

WHEREAS, the Community Development Director has reviewed said proposal and has recommended its acceptance by the Town, AND

WHEREAS, the Town's Community Development Block Grant program budget includes funding for said planning services, NOW, THEREFORE, BE IT

Item No. 17 cont'd.

RESOLVED, that the Supervisor be and hereby is authorized to enter into an agreement with Frank T. Brzezinski & Associates, 85 Central Avenue, Lancaster, New York 14086, to secure professional services pursuant to the proposal dated July 28, 1998 and the Town's Request for Proposals for said services at fees not to exceed the following amounts: \$6,500 for design services, and, up to \$1,000 for a topographical survey, if required. Said costs shall be paid from the Town's Community Development Block Grant budget.

Upon roll call

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

II. DEPARTMENTAL COMMUNICATIONS

Item No. 18 Building Permits
Received and Filed.

MEETING NO. 16
AUGUST 3, 1998

- Item No. 19 Minutes of Cheektowaga Planning Board - July 9, 1998
Received and Filed.
- Item No. 20 Summon and Complaint: Nancy A. Tryjankowski, mother of Amanda L. Tryjankowski vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Facilities Department; Parks Department; and Allied Claims Insurance Carrier.
Received and Filed.
- Item No. 21a Notice of Claim: Patricia A. and Sophie Grabianowski vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Youth and Recreation; and Allied Claims Insurance Carrier.
Received and Filed.
- Item No. 21b Notice of Claim: Ronald Fenske vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Sanitation; and Allied Claims Insurance Carrier.
Received and Filed.
- Item No. 21c Notice of Claim: Stephen J. Grzankowski 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. 21d Notice of Claim: Patrick O'Sullivan vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Sewer Maintenance Department; and Allied Claims Insurance Carrier.
Received and Filed.
- Item No. 21e Notice of Claim: Joe Schmidt 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. 22 Petition Regarding House on 257 North Seine Drive
Received and Filed.



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

Upon roll call

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



IV. SUSPENSION OF RULES

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

MEETING NO. 16
AUGUST 3, 1998

WHEREAS, the Marrano/Marc Equity Corporation has made application for building permits to construct the foundations for single dwellings at 31 Fairway Lane and 67 Parwood Trail, AND

WHEREAS, the highway, sanitary sewer and water line adjoining 31 Fairway Lane and 67 Parwood Trail have not as yet been installed, AND

WHEREAS, The Local Law For The Administration And Enforcement Of The State Building Construction Code provides that in the event all of the aforementioned utilities are not installed at the time the application for a building permit is made, the Town Board may issue a permit, provided that the applicant for a permit furnishes the Town of Cheektowaga with a surety bond in an amount fixed by the Town Board, conditioned that the utilities serving such structures will be constructed within six (6) months after the issuance of the building permits, AND

WHEREAS, the Marrano/Marc Equity Corporation has furnished the Town with the required surety bond, NOW, THEREFORE, BE IT

RESOLVED, that the Marrano/Marc Equity Corporation is granted building permits to construct foundations for single dwellings at 31 Fairway Lane and 67 Parwood Trail and, BE IT FURTHER

RESOLVED, that the Building Inspector is authorized to allow additional construction on the aforementioned single dwellings to proceed upon full compliance with all other provisions and regulations.

Upon roll call

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

Item No. 24 Moved by Supervisor Gabryszak, seconded by Councilmember Mazur to adjourn this meeting. This meeting was adjourned at 8:15 P.M.

Richard M. Moleski
Town Clerk

**TOWN OF CHEEKTOWAGA
MEETING NO. 17
August 17, 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 17th day of August, 1998 at 7:00 o'clock P.M. there were:

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

ABSENT: Councilmember William P. Rogowski

Also present were: Richard M. Moleski, Town Clerk; James J. Kirisits, Town Attorney; Ronald Marten, Supervising Building and Plumbing Inspector; Robert McCarthy, Director of Employee Relations; Sal LaGreca, Chairman of the Planning Board; Frank Max, Working Crew Chief, Sanitation Department; Bill Pugh, Town Engineer; Bruce Chamberlin, Chief of Police; Bill Conway, Town Assessor.

I. FROM THE TABLE

Item No. 2 Motion by Councilmember Mazur, Seconded by Supervisor Gabryszak

BE IT RESOLVED that Jessical Ball, residing at XXXXXXXXXXXXXXXX, Cheektowaga, New York, be and hereby is appointed to the position of Clerk to the Supervisor, part-time, at a wage of \$10.50 per hour, effective immediately.

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

II. RESOLUTIONS

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:

GENERAL FUND

FROM:	0100-1910-4711 Contingency Accountant	\$ 500.00
	0100-1110-4001 Office Accountant	600.00
	0100-1410-4111 Publishing Notices	240.00
TO:	0100-1110-4071 Uniforms	\$ 500.00
	0100-1110-4591 Jurors	600.00
	0100-1410-2201 Office Equipment	240.00

RISK RETENTION FUND

FROM :	1000-1710-4526 Dental/Vision Administration	\$40,000.00
TO:	1000-1937-4603 DentalVision Claims	\$40,000.00

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

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

**TOWN OF CHEEKTOWAGA
MEETING NO. 17
August 17, 1998**

BE IT RESOLVED that the following Vouchers & Warrants are submitted to the Town of Cheektowaga prior to August 14, 1998 are hereby approved and made a part hereof:

GENERAL FUND	\$ 352,506.12
HIGHWAY FUND	140,333.34
TRUST & AGENCY FUND	21,873.61
PART TOWN FUND	4,763.95
HUD CDBG FUND	2,725.10
HUD HOUSING REHABILITATION	17,920.00
RISK RETENTION FUND	77,843.35
SPECIAL DISTRICTS FUND	300,346.43
CAPITAL FUND	<u>317,154.79</u>
	\$1,235,466.69

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

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

WHEREAS, APD Engineering has petitioned for the rezoning from C-Retail Business District and RS-Residence Single District to MS-Motor Services District of property owned by Stephanie Wojdan and located at 4874-4876 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 15th day of June, 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 to a depth of 300 feet only, and

WHEREAS, the applicant has offered to convey the rear 2+ acres of the parcel to the Town for drainage and environmental; purposes; and has also committed to keeping the doors of the building closed to reduce the amount of noise, and

WHEREAS, this Town Board previously issued a Negative Declaration under SEQRA and the Town Environmental Impact Review Ordinance for this rezoning, NOW, THEREFORE, BE IT

RESOLVED that the application of APD Engineering for the rezoning from C-Retail Business District and RS-Residence Single District to MS-Motor Services District of the property specified in the attached legal description be and the same is hereby approved, and BE IT FURTHER

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

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

*SEE NEXT PAGE(S) FOR ATTACHMENTS

AFFIDAVIT - NEXT PAGE

Item No. 6a Motion by Councilmember Johnson, Seconded by Unanimous

WHEREAS, the Town of Cheektowaga is proposing the construction of an 18-hole municipal golf course (the "Project") in the northeast section of the Town, and

**TOWN OF CHEEKTOWAGA
MEETING NO. 17
August 17, 1998**

WHEREAS, pursuant to the State Environmental Quality Review Act ("SEQRA") an environmental review of the project was conducted, with the Town acting as lead agency, and

WHEREAS, after review by interested and involved agencies and the Town Environmental Advisory Committee ("EAC"), the Town Board, by resolution dated April 16, 1990, issued a Negative Declaration under SEQRA for the Project, and

WHEREAS, the Town Board, by resolution dated July 6, 1993 reaffirmed the Negative Declaration, and

WHEREAS, subsequent to the aforesaid April 16, 1990 and July 6, 1993 resolutions, additional environmental review was accomplished covering, but not limited to the following items:

1. Confirmation that the New York State Office of Parks, Recreation and Historic Preservation that the Project will not impact any known/registered site of historic significance.
2. Confirmation from the United States Army Corps of Engineers of the validity of the wetland delineation and confirmation that the project meets Nationwide Permit 26 criteria.
3. Confirmation that the lone water hazard will be constructed in an area located outside of the projected Runway Protection Zone ("RPZ") of the Buffalo-Niagara International Airport and that all other water hazards will be eliminated.
4. Confirmation that the concerns/questions raised that the water hazards will attract birds to the vicinity of the airport creating a potential hazard for aircraft has been effectively eliminated by the changes to the course design which deleted all but one water hazard/pond.
5. Confirmation of the prior tree survey showing substantial preservation of existing trees under the current design and an increase in the number of trees upon completion of the Project.
6. Confirmation of the traffic impact analysis performed by EMS Consulting in 1991 and that the determination on meeting warrants for NYSDOT signalization of the intersection of Genesee Street and Sonwil Drive must await completion of the golf course and the Sonwil Industrial Park.

WHEREAS, the golf course design has been revised to incorporate the results from environmental review studies and mitigation plans, and

WHEREAS, the EAC has reviewed the aforementioned information and has recommended that the Town Board affirm the Negative Declaration for the golf course, NOW, THEREFORE, BE IT

RESOLVED that tis Town Board hereby reaffirms that the proposed Cheektowaga Municipal Golf Course will not have a significant effect on the environment, and hereby issues a Negative Declaration with respect to the Project.

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

Item No. 6b 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

**TOWN OF CHEEKTOWAGA
MEETING NO. 17
August 17, 1998**

WHEREAS, the Town Board, pursuant to the Environmental Impact Review Ordinance of the Town of Cheekowaga, 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 Tyree Engineering on behalf of the Mobil Oil Corporation to rezone 3550 Genesee Street from CM-General Commercial District to MS-Motor Service District, and

WHEREAS, the project entails demolition of the existing Mobil Gas Station and the construction of a new "On The Run" facility, and

WHEREAS, the site plan shows the elimination of a driveway on Genesee Street near Union Road which will improve the safety of motorists entering or exiting the site on Genesee Street, and

WHEREAS, additional landscaping will be installed on the site to enhance the aesthetics of the intersection, and

WHEREAS, the Advisory Committee, at its meeting held on July 1, 1998 rendered the determination shown on the attached memo dated July 2, 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.

*SEE NEXT PAGE(S) FOR ATTACHMENT

Item No. 7 Motion by Councilmember Johnson, Seconded by Councilmember Mazur

WHEREAS, Notice to Bidders was duly published for the receipt of bids for the Community Drive Storm Sewer Trunkline Project, Phase I, which bids were publicly opened on July 22, 1998, and

WHEREAS, said bids were referred to the Town Engineer and to Nussbaumer & Clarke, Inc. project consulting engineers, for analysis, tabulation and report, which analysis, tabulation

**TOWN OF CHEEKTOWAGA
MEETING NO. 17
August 17, 1998**

and report is hereto attached and contained in a letter from the Engineering Department dated August 7, 1998, and

WHEREAS, said report recommends that the contract for the aforesaid storm sewer improvement project be awarded to Visone Construction, Inc. for their submission of the lowest bid meeting the requirements of the specifications, NOW, THEREFORE, BE IT

RESOLVED that the contract for the aforementioned project be and hereby is awarded to:

Visone Construction, Inc.
79 Sheldon Avenue
Depew, New York 14043

for the bid price of \$153,007.50, 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 directed to sign said agreement with Visone Construction, Inc. for the aforesaid contract, and BE IT FURTHER

RESOLVED that said project shall be funded utilizing Community Development Block Grant Funds which have been budgeted for the subject project.

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

*SEE NEXT PAGE(S) FOR ATTACHMENT

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

WHEREAS, this Town Board previously issued a Negative Declaration under SEQRA for the proposed construction of a building for Tim Hortons Donuts on Union Road at Losson Road, and

WHEREAS, as part of the environmental approval of such construction, the developer/owner of the property agreed to give the Town a conservation easement at the eastern end of the property, and

**TOWN OF CHEEKTOWAGA
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August 17, 1998**

WHEREAS, Losson & Union Associates has submitted to the Town a Conservation Easement for this property, which easement has been approved by the Town Engineer and Town Attorney, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby accepts the aforementioned Conservation Easement, 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.

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

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

WHEREAS, on or about December 9, 1995, Russell Mantione sustained certain personal injuries, including a fracture of the left ankle, when he fell on an "icy and slippery handicapped ramp near the sidewalk area" at the Cheektowaga Ice Rink; and

WHEREAS, on or about January 7, 1997, a summons and complaint on the personal injury claim of Russell Mantione and his wife, Anna Jean Mantione, was served upon the Town; and

WHEREAS, the Town's liability claims administrator has investigated the aforesaid claim, and the aforesaid lawsuit has been defended by attorneys for the Town under its self-insured liability claims program; and

WHEREAS, both the claims administrator and defense attorneys have recommended the settlement of the aforesaid lawsuit by payment of the sum of \$7,500.00, NOW, THEREFORE, BE IT

RESOLVED that the sum of \$7,500.00 be paid by the Town from its self-insured liability claims fund in full and final settlement of the aforesaid lawsuit of Russell Mantione and Anna Jean Mantione, subject to the approval, if required, of the court wherein such lawsuit is pending, and BE IT FURTHER

RESOLVED that attorneys from the lawfirm of Hurwitz & Fine, P.C. be and they hereby are authorized to execute and procure all papers necessary to effectuate such settlement and compromise.

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

**TOWN OF CHEEKTOWAGA
SPECIAL MEETING NO. 18
August 24, 1998**

Item No. 1 At a special meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 24th day of August, 1998 at 6:15 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; Ronald Marten, Supervising Building and Plumbing Inspector.

Item No. 2 Motion by Unanimous, Seconded by Unanimous

WHEREAS, this Town Board, by resolution dated April 6, 1998, approved the Parwood Patio Homes Subdivision for the construction of 77 patio homes, and

WHEREAS, this Town Board also previously approved Public Improvement Permits applied for by Bella Vista Group, the developer of this subdivision, for a sanitary sewer extension, and

WHEREAS, storm and sanitary sewer work for this subdivision is almost completed and the developer is anxious to sell and construct homes on the lots within Phase I of this subdivision, and

WHEREAS, this Town Board has previously issued building permits for four lots within this subdivision under Section 13-13 of the Local Law for Administration and Enforcement of the State Building Construction Code, and

WHEREAS, the developer has requested permission to obtain building permits for the remaining lots in Phase 1 of the Parwood Patio Homes Subdivision, and in exchange for such permits, has committed to certain items as stated in the attached letter, said work to be completed on or before the dates specified in such letter, and

WHEREAS, the developer's builder has previously furnished the Town with the following to guarantee completion of the work required by the Town:

1. Surety bond in the amount of \$100,000;
2. Proof that a waterline conforming to the rules and regulations of the Erie County Water Authority has been constructed.

NOW, THEREFORE, BE IT

RESOLVED that this Town Board, based on the commitments made by the developer in the attached letter, hereby approves the issuance of building permits (after appropriate applications and fees have been submitted to the Town) for the remaining lots in Phase 1 of the Parwood Patio Homes Subdivision, and BE IT FURTHER

RESOLVED that except where otherwise noted in the attached letter, no certificates of occupancy for any of the homes constructed in the Parwood Patio Homes Subdivision shall be issued until all items listed in the attached letter have been satisfied.

**SEE NEXT PAGE(S) for ATTACHMENT

Item No. 2 cont'd

TOWN OF CHEEKTOWAGA
SPECIAL MEETING NO. 18
August 24, 1998

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 Mazur
to adjourn the meeting.
Time Meeting Adjourned: 6:30 P.M.

RICHARD M. MOLESKI
Town Clerk

TOWN OF CHEEKTOWAGA
MEETING NO. 19
SEPTEMBER 8, 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 8th day of September, 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

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Robert McCarthy, Coordinator of Employee Relations; Salvatore LaGreca, Planning Board Chairman; William Pugh, Town Engineer; Robert Kaczmarek, Supervising Accountant; James J. Kirisits, Town Attorney; Ronald Marten, Building and Plumbing Inspector; Patricia Wojcik, Director of Senior Services; Bruce Chamberlin, Police Chief; William Conway, Town Assessor; Frank Max, Working Crew Chief-Sanitation/Recycling Department; and Kevin Schenk, Deputy Town Attorney.

I. RESOLUTIONS

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

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

GENERAL FUND

From:	0100-1355-2005	Office Equipment	\$ 2,000.00
	0100-9501-9131	Bond Principal	31,364.00
	0100-7550-2039	Polish Festival Revenue	3,000.00
	0100-1415-3500	State Aid - Archive Grant	10,591.00
To:	0100-1355-4431	Maintenance Agreements	\$ 2,000.00
	0100-1010-1361	Clerk-Steno	1,056.00
	0100-1110-1003	Justices	1,930.00
	0100-1110-1371	Justice Clerk	4,092.00
	0100-1315-1308	Supervising Accountant	2,934.00
	0100-1330-1006	Tax Receiver	2,270.00
	0100-1355-1101	Assessor	2,659.00
	0100-1410-1005	Town Clerk	3,132.00
	0100-1430-1125	Employee Relations Coordinator	2,895.00
	0100-1430-1301	Employees Relations Secretary	240.00
	0100-1440-1105	Engineer	1,397.00
	0100-5010-1004	Highway Superintendent	932.00
	0100-6250-1952	Manpower Director	834.00
	0100-7310-1114	Youth & Recreation Director	1,787.00
	0100-7620-1121	Senior Services Director	2,615.00
	0100-9499-1123	Community Development Director	2,591.00
	0100-7550-4374	Polish Festival Expense	3,000.00
	0100-1415-1600	Clerical Assistance	8,800.00
	0100-1415-4500	Supplies & Equipment	909.00
	0100-1415-4003	Travel	200.00
	0100-1455-8000	Employee Benefits	682.00

Item No. 2 cont'd.

MEETING NO. 19
SEPTEMBER 8, 1998

HIGHWAY FUND

From: 0300-5141-1412 Laborer \$ 65,000.00
To: 0300-5141-1421 Auto Mechanics Helper \$ 65,000.00

COMMUNITY DEVELOPMENT

From: 0700-1096-0704 Contingency \$ 5,260.00
To: 0700-1096-0679 Summer Day Camp \$ 5,260.00

RISK RETENTION

From: 1000-1936-4703 Catastrophe Reserve \$100,000.00
1000-1910-2798 Fund Reserve Appropriation 42,000.00
To: 1000-1932-4703 General Liability Expense \$142,000.00

PART-TOWN FUND

From: 0800-9010-8141 Medical Insurance \$ 1,399.00
To: 0800-3620-1100 Building & Plumbing Director \$ 1,399.00

Upon roll call

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

Item No. 3 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 September 8, 1998 are hereby approved and made a part hereof:

GENERAL FUND	\$ 340,041.39
HIGHWAY FUND	86,354.37
TRUST & AGENCY	20,594.33
PART TOWN FUND	8,152.39
HUD CDBG FUND	13,371.99
HUD HOUSING REHABILITATION	6,405.00
RISK RETENTION FUND	171,735.28
SPECIAL DISTRICTS FUND	330,263.46
CAPITAL FUND	<u>266,923.01</u>
	\$1,243,841.22

Upon roll call

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

Item No. 4 Moved by Councilmember Swiatek, seconded by Councilmember Jaworowicz

WHEREAS, Anthony Marczak has made application and requested the Rezoning from RA-Apartment District to NS-Neighborhood Services District for property located at 2437 Union Road, NOW, THEREFORE, BE IT

Item No. 4 cont'd.

MEETING NO. 19
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RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on September 21, 1998 at 6:30 P.M. at the Cheektowaga Town Hall, 3301 Broadway at the corner of Union Road.

Upon roll call

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

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

Item No. 5a Moved by Councilmember Jankowiak, seconded by Councilmember Swiatek

WHEREAS, bids were duly received by this Town Board at a public bid opening held on August 4, 1998, for the purchase of one new and unused 1999 Ford Chassis F-550 Dump Truck, as

MEETING NO. 19
SEPTEMBER 8, 1998

a result of advertisement thereof, and such bids were referred to the General Crew Chief of the Sanitation Department, 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 1999 Ford Chassis F-550 Dump Truck be awarded to Bison Truck Center Inc., 2370 Walden Avenue, Cheektowaga, New York 14225 at a total bid price of \$35,581.00, said bidder being the lowest responsible bidder meeting specifications and, BE IT FURTHER

RESOLVED, that monies be charged to line item 1500-8160-2501.

Upon roll call

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

Item No. 5b Moved by Councilmember Rogowski, seconded by Councilmember Johnson

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing and installation of playground equipment at the North-South Creek Park, which bids were duly received and opened at the September 2, 1998 public bid opening, AND

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

WHEREAS, bids were reviewed by Allan Blachowski, Principal Engineer Assistant, and it is recommended that the award be made to the lowest responsible bidder meeting the requirements of the specifications, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the furnishing and installation of playground equipment be and hereby is awarded to:

North Boston Construction
7440 Boston State Road
Hamburg, New York 14075

ITEM

I	Miracle Preschool Playground System - A	\$15,650.00
III	Miracle Intermediate Playground System - C	\$23,998.00
IV	6" Timbers	\$7.68/Ln. Ft.
V	Surfacing Material	\$17.60 Cu. Yd.

Upon roll call

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

Item No. 6 Moved by Councilmember Rogowski, seconded by Councilmember Jaworowicz

BE IT RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of quantities of motor oils, lubricants, anti-freeze, unleaded gasoline and diesel fuel, etc. for use by various departments in the Town.

Item No. 6 cont'd.

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

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RESOLVED, that the Town Clerk is hereby designated as the Officer to open bids on the aforesaid items at 11:00 A.M. on September 23, 1998.



TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT

LEGAL NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN, that the Town of Cheektowaga Highway Department will receive proposals for the purchase of quantities of motor oils, lubricants, anti-freeze, unleaded gasoline and diesel fuel, etc. for use of the Highway Department at a bid opening to be held in the Council Chambers at the Cheektowaga Town Hall on September 23, 1998 at 11:00 A.M.

Information for bidders and specifications may be obtained from the office of Richard Moleski, Town Clerk at his office located at Town Hall, Cheektowaga, New York. Bids must be enclosed in an opaque envelope plainly marked "BIDS FOR MOTOR OILS, LUBRICANTS, ANTI-FREEZE, UNLEADED GASOLINE AND DIESEL FUEL."

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: September 8, 1998

Published: September 10, 1998



Upon roll call

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

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

Item No. 7 Moved by Councilmember Rogowski, seconded by Councilmember Jankowiak

WHEREAS, the Town's agreement for the placement of vending machines at the Cheektowaga Recreation Center will be expiring, AND

WHEREAS, the Facilities Department Director has recommended that a Request for Proposals ("RFP") for vending machines in all Town buildings and locations be issued to obtain the best price possible for the Town, AND

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WHEREAS, the Facilities Department and Town Attorney's Office have prepared a RFP and License Agreement for vending machine services, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby issues the attached RFP for vending machine services and directs the Facilities Department Director to forward such RFP to at least three vendors and, BE IT FURTHER

RESOLVED, that proposals shall be received and opened by the Town Clerk on September 17, 1998 at 11:00 A.M.

Upon roll call

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

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

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

WHEREAS, the Cheektowaga Central High School Student Council has made application to hold its Annual Homecoming Parade on Friday, September 18, 1998 from 6:00 P.M. to 7:30 P.M., beginning at the north end of South Creek Drive and Benbro Drive; then proceeding west on South Creek Drive to Nantucket Drive; then west on Nantucket Drive to Zoerb Avenue; and thence west on Zoerb Avenue to Union Road, AND

WHEREAS, this Board has reviewed the application submitted by the Cheektowaga Central High School Student Council, which application has been approved by the Police Department, and has no objection to same, AND

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

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

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the Cheektowaga Central High School Student Council for its Annual Homecoming Parade to be held on September 18, 1998 and, BE IT FURTHER

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

Item No. 8 cont'd.

Upon roll call

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

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

MEETING NO. 19
SEPTEMBER 8, 1998

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 Bergmann Associates on behalf of Uniland Development Company ("Developer") to develop approximately 50 acres of a 61.5 acre site as "Airborne Business Park" with approximately 600,000 gross square feet of office and light industrial facilities, AND

WHEREAS, this project site is generally bounded by Ellicott Creek, Holtz Drive, Rein Road and Genesee Street, AND

WHEREAS, this project was referred to the Erie County Department of Environment and Planning, New York State Department of Transportation (NYSDOT), New York State Department of Environmental Conservation, U.S. Army Corps of Engineers, Niagara Frontier Transportation Authority and New York State Office of Parks Recreation and Historic Preservation, AND

WHEREAS, the Developer has made modifications to the plans based on comments received from various reviewing bodies, AND

WHEREAS, the Developer will install sidewalks where the project abuts Holtz Drive, Genesee Street and Rein Road as the frontage is developed or renovated, AND

WHEREAS, the Developer will install sidewalks within the business park including a bus turn-off lane when supported by the NFTA, AND

WHEREAS, the Developer will provide a conservation easement to the Town and avoid development within the Ellicott Creek Floodplain which will minimize the impact upon trees, wetlands, flood management areas and archeological resources, AND

WHEREAS, the Developer has asked the Town to modify its bikeway Master Plan and will establish a bike path, in the area of the proposed Ellicott Creek conservation easement, from Genesee Street to Holtz Drive in place of a segment of former railroad right-of-way originally listed to be developed as a bike path, AND

WHEREAS, the Developer has modified plans along Holtz Drive in an effort to conform with Erie County Highway Department comments and is committing to participate in future modification and signalization at Holtz Drive and Aero Drive, AND

WHEREAS, the Developer must obtain highway work permits on Holtz Drive from the Erie County Highway Department, AND

WHEREAS, discussions are continuing between the Developer and the New York State Department of Transportation on the final configuration of the access drive at Genesee Street to ensure safe access/egress for motorists, AND

Item No. 9a cont'd.

WHEREAS, the Developer is committed to making every effort to address a line-of-sight issue raised by the NYSDOT, AND

WHEREAS, the Developer must obtain highway work permits from the New York State Department of Transportation to create a curb cut at Genesee Street and perform other work within the state right-of-way, AND

WHEREAS, the Developer desires to install a traffic signal at the Genesee Street access drive which does not presently meet warrants for such installation, AND

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WHEREAS, the Developer has committed to performing the necessary warrant study at a later date and install the signal as may be required/allowed by the NYSDOT, AND

WHEREAS, the Developer will replace trees lost to construction, on-site, at a minimum of a 2-for-1 ratio with the intent to replace trees at a 3-for-1 ratio, AND

WHEREAS, the final stormwater drainage plans, sanitary sewer connections and suggested sewer main modifications are subject to the approval of the Town Engineer, AND

WHEREAS, the Advisory Committee, at its meeting held on July 1, 1998 rendered the recommendation shown on the attached memo dated July 2, 1998, AND

WHEREAS, the Advisory Committee, at its meeting held on September 2, 1998 reaffirmed their recommendation that a "Negative Declaration" be issued for this project, AND

WHEREAS, additional information was received at subsequent meetings of the Advisory Committee from the Developer which addressed outstanding issues, AND

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

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

Upon roll call

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

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 9b 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

MEETING NO. 19
SEPTEMBER 8, 1998

WHEREAS, an application was submitted by William Sabio, President, to construct an 8,000 sq. ft. addition to Dual Printing located at 340 Nagel Drive, AND

WHEREAS, the applicant will install landscaping with concrete curbing along the Nagel Drive frontage, AND

WHEREAS, the Traffic Safety Commission and the Cheektowaga Police Department reviewed the proposal and found it acceptable, AND

WHEREAS, the residents expressed a desire for an eight (8) foot high fence along the north property line, and

WHEREAS, the applicant has committed to obtaining the necessary approvals to construct the eight (8) foot fence, AND

WHEREAS, the Advisory Committee, at its meeting held on September 2, 1998 rendered the recommendation shown on the attached memo dated September 3, 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 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. 10a Moved by Councilmember Mazur, seconded by Councilmember Swiatek

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 274 Cayuga Road, Cheektowaga, New York, SBL #92.09-1-22.1 and according to the Assessors' Office is owned by John C. Manley, Jr., c/o Upstate Appraisal, Inc., 280 Cayuga Road, Cheektowaga, New York 14225, AND

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

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

MEETING NO. 19
SEPTEMBER 8, 1998

Upon roll call

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

Item No. 10b Cleanup and Fill-in of Property Located at 550 Cayuga Road
This item was withdrawn.

Item No. 10c Moved by Councilmember Mazur, seconded by Councilmember Swiatek

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 465 French Road, Cheektowaga, New York, SBL #125.09-7-1 and according to the Assessors' Office is owned by John Balconi and Peter J. Battaglia, 32 Hillside Parkway, Lancaster, New York 14086, AND

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

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

Upon roll call

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

Item No. 10d Moved by Councilmember Mazur, seconded by Councilmember Swiatek

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at Emerald Gardens Subdivision, Whitney Place, Cheektowaga, New York SBL #114.18-8-15 through 114.18-8-19, 114.18-8-21 through 114.18-8-32; Garnet Drive, Cheektowaga, New York, SBL #114.18-8-1 through 114.18-8-8, 114.18-8-35, 114.18-8-37 through 114.18-8-40; Topaz Drive, Cheektowaga, New York, SBL #114.18-8-9, 114.18-8-10, 114.18-8-11, 114.18-8-14; and according to the Assessor's Office is owned by Emerald Gardens, Inc., 5270 Transit Road, Depew, New York 14043.

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

Item No. 10d cont'd.

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

Upon roll call

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

Item No. 10e Moved by Councilmember Mazur, seconded by Councilmember Swiatek

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 52 Roswell Road, Cheektowaga,

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New York, SBL #90.08-1-2 and according to the Assessors' Office is owned by Doris Edwards-Anderson, 52 Roswell Road, Cheektowaga, New York 14215, AND

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

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

Upon roll call

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

Item No. 10f Moved by Councilmember Mazur, seconded by Councilmember Swiatek

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 49 Sugnet Avenue, Cheektowaga, New York, SBL #80.17-14-21 and according to the Assessors' Office is owned by Daniel J. Tritto and One, 49 Sugnet Road, Cheektowaga, New York 14215, AND

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

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

Upon roll call

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

Item No. 10g Moved by Councilmember Mazur, seconded by Councilmember Swiatek

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at Union Road-north of Fath Drive, Cheektowaga, New York, SBL #102.08-10-5.2 and according to the Assessors' Office is owned by China America Co. Ltd., c/o Hazardous Waste Management Corp., P.O. Box 226, Niagara Falls, New York 14305, AND

Item No. 10g cont'd.

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

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

Upon roll call

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

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

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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

Item No. 12a Moved by Unanimous, seconded by Unanimous

WHEREAS, by resolution dated April 6, 1998 this Town Board appointed Commonwealth Sport Fund, LLC ("Commonwealth") as the Designated Developer of a golf course on Town-owned land located south of Genesee Street, east of Sonwil Drive and north and west of Rehm Road, AND

WHEREAS, this Town Board, by said resolution, also approved entering into a Memorandum of Understanding with Commonwealth wherein the Town agreed in general terms to enter into a lease with Commonwealth for the use of such Town-owned land for golf course purposes, AND

WHEREAS, the State Legislature and Governor have now approved legislation authorizing the Town to enter into a lease with Commonwealth, (Chapter 199 of the Laws of 1998), AND

WHEREAS, in order to expeditiously and responsibly negotiate a lease with Commonwealth, this Town Board, by resolution dated August 3, 1998, designated a Negotiating Committee composed of various Town officials and department representatives for purposes of negotiating a lease with Commonwealth, AND

WHEREAS, such Negotiating Committee and Town Board members conducted various meetings amongst themselves, with outside legal counsel and with Commonwealth representatives and coordinated lease negotiations on behalf of the Town with Commonwealth, AND

Item No. 12a cont'd.

WHEREAS, a Lease acceptable to the Town and Commonwealth has now been negotiated, which lease is in the best interests of the Town and its taxpayers, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the above referenced Lease with Commonwealth on behalf of the Town and this Town Board, after same has first been approved by the Town Attorney as to form and as to compliance with the policies, practices and procedures of the Town Board; and, in addition, after all exhibits to the lease have been completed and are appended thereto and, BE IT FURTHER

RESOLVED, that this resolution is subject to permissive referendum under the Town Law of the State of New York and, BE IT FURTHER

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



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NOTICE OF ADOPTION OF RESOLUTION
SUBJECT TO PERMISSIVE REFERENDUM

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Cheektowaga, on September 8, 1998, adopted a resolution authorizing the Town of Cheektowaga to enter into a lease with Commonwealth Sport Fund, LLC for the lease of Town-owned land generally described as follows for the construction and operation of an eighteen (18) hole golf course and related facilities open to the public:

165± acres of land located at the westerly terminus of Rehm Road, east of Sonwil Drive, and south of Genesee Street in the Town of Cheektowaga, as further described in the lease document.

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

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

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

Richard M. Moleski
Town Clerk

Dated: September 8, 1998



Upon roll call

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

AFFIDAVIT - NEXT PAGE

Item No. 12b Moved by Councilmember Mazur, seconded by Councilmember Swiatek

WHEREAS, the Town of Cheektowaga and the Town of Cheektowaga Captains and Lieutenants Association, Inc. have agreed to the terms and conditions for a successor 1996-1998 collective bargaining agreement between said parties, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor, on behalf of this Town Board, be and hereby is authorized and directed to execute the attached Memorandum of Agreement between the Town of Cheektowaga and the Town of Cheektowaga Captains and Lieutenants Association.

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. 19
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Item No. 12c 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, a housing rehabilitation loan was previously provided to Barbara Bohlen, owner of 11 Michele Drive, in the amount of \$24,985, 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, additional work of up to \$1,500.00 is necessary to complete the project, thereby raising the total loan amount to over \$25,000, AND

WHEREAS, the Town Director of Community Development has recommended approval of the additional loan funds, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes additional housing rehabilitation loan funds in the amount of up to \$1,500.00 for the project located at 11 Michele Drive and directs the Supervisor to execute a loan amendment and any other documents necessary to provide said funding.

Upon roll call

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

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NAYES: 0
ABSENT: 0

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

WHEREAS, the Town of Cheektowaga has previously provided a Housing Rehabilitation loan to the owners of the property located at 1015 Sherwood Court, Depew, New York, AND

WHEREAS, the owners of said property have applied for a mortgage loan from Household Finance Realty Corporation for the purpose of refinancing existing mortgage debt at a lower interest rate, AND

WHEREAS, Household Finance Realty Corporation has conditioned its approval of the owner's mortgage on the subordination of the Town's mortgage to that of Household Finance Realty Corporation, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute a Subordination Agreement with Household Finance Realty Corporation, with an office located at 3729 Union Road, Cheektowaga, New York 14225, pertaining to the Town's Housing Rehabilitation loan secured by a mortgage on the property located at 1015 Sherwood Court, Depew, New York 14043.

Upon roll call

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

Item No. 12e Moved by Councilmember Jaworowicz, seconded by Councilmember Jankowiak

WHEREAS, the Maryvale Senior High School has established a Career Exploration Internship Program for its students to give them on-the-job experience in difference fields of work, AND

WHEREAS, this internship program allows students to earn unit credits in school for such internship and such internship is non-paid, AND

Item No. 12e cont'd.

WHEREAS, Adriane Ziarkowski, a student at Maryvale Senior High School, has expressed a desire to conduct a career exploration internship in the Cheektowaga Justice Court, AND

WHEREAS, the Maryvale School System carries general liability and workers compensation insurance to cover its interns, AND

WHEREAS, the Town Justices have agreed to the internship of Adriane Ziarkowski, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby accepts the non-paid internship of Adriane Ziarkowski through Maryvale Senior High School, said internship to take place in the Cheektowaga Justice Court and, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the Memorandum of Agreement with Maryvale Senior High School for this internship.

Upon roll call

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



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MOTION BY COUNCILMEMBER ROGOWSKI, SECONDED BY COUNCILMEMBER JANKOWIAK TO DISPENSE WITH READING THE NAMES IN ITEMS 13A, 13B, AND 13C AND THE VOTING WAS AS FOLLOWS:

Upon roll call

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



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

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

Javette Adams	Jonathan Menczynski
Suzanne Brucz	Jason Murphy
Lynn Burdzy	Bridget Olear
Janet Burkard	Michael Pawlowski
Kristen Drzymala	Holly Pietrasik
Valerie Elberson	Robert Proehl
Lindsey Goetel	Kevin Rudnicki
Anne M. Holland-Goergen	Richard Rusniak
Andrea Ketterl	Sarah Sarama
Danielle Ketterl	Kyle Shanley
Nicole Kozma	Dana Stencel
John LaBarbara	Julie Stumm
Katherine Lewis	Trever Stowell
Samantha McManus	Colleen Tonsoline
Kristy Mangione	Brandon Williams
Dina Mantione	Amy Zakrzewski
Allison Montroy	Barry Zwick

Item No. 13a conti'd.

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 Councilmember Jankowiak

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

EFFECTIVE

SANITATION DEPARTMENT

Edward Pozdyn Immediately

RECYCLING DEPARTMENT

Nicholas Astyk	Immediately
Eric Ziarnowski	"
David Rozak	"
Michael Full	"
Michael Sonnenfeld	"
Jason Rydzynski	"
Jeffrey Speaker	"
James Manwarren	"

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William Kotarski
Tony Pawlowski
Thomas Porto

“
“
“

TAX OFFICE

Sandra Pelino

Immediately

Upon roll call

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

Item No. 13c Moved by Councilmember Mazur, seconded by Councilmember Jaworowicz

BE IT RESOLVED, that the following Seasonal and or Part-Time employee be and hereby is terminated as listed:

EFFECTIVE

POLICE DEPARTMENT

Jacqueline Federowicz

Immediately

Upon roll call

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

Item No. 14 Moved by Supervisor Gabryszak, seconded by Councilmember Mazur

BE IT RESOLVED, that Paul Radomski, Part-Time Van Driver in the Senior Services Department be terminated effective immediately.

BE IT FURTHER RESOLVED, that Robert Harlan, XXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be hired as a Part-Time Van Driver at \$6.50 per hour effective immediately.

FUNDING ACCOUNT: 0100-7620-1636

Upon roll call

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

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

BE IT RESOLVED, that two Program Leader (Youth) positions be and hereby are created in the Youth and Recreational Services Department

Upon roll call

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

Item No. 16 Moved by Councilmember Johnson, Moved by Councilmember Jaworowicz
Councilmember Rogowski

MEETING NO. 19
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WHEREAS, John C. Stiglmeier Park is a Town Park comprised of 308± acres of inter-related natural and man-made features catering to a diversity of users and host to a number of recreational activities, AND

WHEREAS, Stiglmeier Park is a unique and priceless natural and open space resource for the Town and its residents, AND

WHEREAS, under the Town's Environmental Impact Review Ordinance, Stiglmeier Park is identified as a critical environmental area, AND

WHEREAS, various studies have been commissioned that address aspects of Stiglmeier Park, including the Losson William Corridor Study (URS Greiner), Stiglmeier Park Natural Resources Survey Report (Nussbaumer & Clarke, Inc.) and the Cayuga Creek Corridor Study (Friends of the Buffalo River), AND

WHEREAS, there is a need to preserve those qualities which make this park special by balancing the needs and interests of all park users as well as the community at large, AND

WHEREAS, the 1997 Cayuga Creek Corridor Study specifically recommended that Cheektowaga establish a Stiglmeier Park Steering Committee, AND

WHEREAS, a number of Town residents and organizations have suggested that this Town Board create a Stiglmeier Park Steering Committee to act as a forum for all interested parties to discuss and plan Stiglmeier Park's future and to present their recommendations to Town officials, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby creates a Stiglmeier Park Steering Committee to oversee proposed future development and Town activities within Stiglmeier Park and, BE IT FURTHER

Item No. 16 cont'd.

RESOLVED, that the following individuals be and hereby are appointed to serve on the Stiglmeier Park Steering Committee, for a term effective immediately and terminating on September 8, 2000.

Ted Blaszak
Jerry Coleman
Rita Figulski
Mike Hanchak
Mike Krasner
Jeff Liddle
Frank Mikler
Helen Miller
Mike Papero
Jeanne Pawlik
David Smaczniak
Frank Szeffler
Larry Watson
Jane Wiercioch
Virginia Wojdyla

and, BE IT FURTHER

RESOLVED, that minimally the following organizations will be represented at deliberations of the Stiglmeier Park Steering Committee:

Airlanes Junior Football League
Depew Cheektowaga Taxpayers Association
Friends of the Woods
Rails to Trails
Reinstein Nature Preserve
St. Philip the Apostle Parish

MEETING NO. 19
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South Cheektowaga Athletic Association
Southline Athletic Association

and, BE IT FURTHER

RESOLVED, that the following Town officials shall serve as ad hoc members of the Stiglmeier Park Steering Committee to ensure proper communication between the town departments, the Steering Committee and the community at large:

Councilmember Tom Johnson
Councilmember Bill Rogowski
Al Blachowski (Engineering Department)
Ken Kopacz (Youth & Recreational Services Department)
Roger Newhouse (Youth & Recreational Services Department)
Frank Piacente (Youth & Recreational Services Department)
Bill Wielinski (Facilities Department)



MOTION BY COUNCILMEMBER JANKOWIAK, SECONDED BY COUNCILMEMBER JAWOROWICZ TO AMEND THE ABOVE RESOLUTION, ITEM 16, AND THE VOTING WAS AS FOLLOWS:

Upon roll call

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



Item No. 16 cont'd.

AMENDED

WHEREAS, John C. Stiglmeier Park is a Town Park comprised of 308+ acres of inter-related natural and man-made features catering to a diversity of users and host to a number of recreational activities, AND

WHEREAS, Stiglmeier Park is a unique and priceless natural and open space resource for the Town and its residents, AND

WHEREAS, under the Town's Environmental Impact Review Ordinance, Stiglmeier Park is identified as a critical environmental area, AND

WHEREAS, various studies have been commissioned that address aspects of Stiglmeier Park, including the Losson William Corridor Study (URS Greiner), Stiglmeier Park Natural Resources Survey Report (Nussbaumer & Clarke, Inc.) and the Cayuga Creek Corridor Study (Friends of the Buffalo River), AND

WHEREAS, there is a need to preserve those qualities which make this park special by balancing the needs and interests of all park users as well as the community at large, AND

WHEREAS, the 1997 Cayuga Creek Corridor Study specifically recommended that Cheektowaga establish a Stiglmeier Park Steering Committee, AND

WHEREAS, a number of Town residents and organizations have suggested that this Town Board create a Stiglmeier Park Steering Committee to act as a forum for all interested parties to discuss and plan Stiglmeier Park's future and to present their recommendations to Town officials, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby creates a Stiglmeier Park Steering Committee to oversee proposed future development and Town activities within Stiglmeier Park and, BE IT FURTHER

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RESOLVED, that the following individuals be and hereby are appointed to serve on the Stiglmeier Park Steering Committee, for a term effective immediately and terminating on September 8, 2000.

Ted Blaszak
Jerry Coleman
Rita Figulski
Mike Hanchak
Mike Krasner
Jeff Liddle
Frank Mikler
Helen Miller
Mike Papero
Jeanne Pawlik
David Smaczniak
Frank Szeffler
Larry Watson
Jane Wiercioch
Virginia Wojdyla

and, BE IT FURTHER

RESOLVED, that minimally the following organizations will be represented at deliberations of the Stiglmeier Park Steering Committee:

Airlanes Junior Football League
Depew Cheektowaga Taxpayers Association
Friends of the Woods
Rails to Trails
Reinstein Nature Preserve
St. Philip the Apostle Parish
South Cheektowaga Athletic Association
Southline Athletic Association
Item No. 16 cont'd.

and, BE IT FURTHER

RESOLVED, that the following Town officials shall serve as ad hoc members of the Stiglmeier Park Steering Committee to ensure proper communication between the town departments, the Steering Committee and the community at large:

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
Al Blachowski (Engineering Department)
Ken Kopacz (Youth & Recreational Services Department)
Roger Newhouse (Youth & Recreational Services Department)
Frank Piacente (Youth & Recreational Services Department)
Bill Wielinski (Facilities Department)

Upon roll call

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

Item No. 17a Moved by Councilmember Mazur, seconded by Councilmember Jankowiak

WHEREAS, a vacancy exists in the position of Detective in the Police Department,
AND

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WHEREAS, the Chief of Police and his screening committee recommend that Patrolman David Piscitello be appointed to the position of Detective, NOW, THEREFORE, BE IT

RESOLVED, that David Piscitello be and hereby is appointed to the position of Detective in the Police Department, effective immediately.

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 Councilmember Rogowski

WHEREAS, a vacancy exists in the position of Account-ClerkTypist (Promotional) in the Facilities Department, AND

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

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

WHEREAS, Maureen MacDonald, currently employed as Clerk Typist in the Facilities Department, appears on said Civil Service list and is eligible for said promotion, NOW, THEREFORE, BE IT

RESOLVED, that Maureen MacDonald of XXXXXXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed to the position of Account-Clerk Typist in the Facilities Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective September 9, 1998.

Item No. 17b cont'd.

Upon roll call

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

Item No. 17c Moved by Councilmember Mazur, seconded by Councilmember Jankowiak
Councilmember Rogowski

WHEREAS, two permanent vacancies exist in the position of Laborer's Aide in the Recycling Department, AND

WHEREAS, Roy Baer and David Szafranski are interested in said vacancies, have submitted an application and meet all the necessary qualifications for said positions, NOW, THEREFORE, BE IT

RESOLVED, that Roy Baer of XXXXXXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX and David Szafranski of XXXXXXXXXXXXXXXXXXXX, Sloan, New York XXXXX be and hereby are appointed to the permanent positions of Laborer's Aide in the Recycling Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective September 9, 1998.

Upon roll call

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

Item No. 18a Moved by Councilmember Jaworowicz, seconded by Councilmember Mazur

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WHEREAS, this Town Board previously created twelve (12) positions of Court Officer (Part-Time) NOW, THEREFORE, BE IT

RESOLVED, that the following individual be and hereby is appointed to the position of Court Officer (Part-Time), effective immediately at a salary of \$12.50 per hour:

Jacqueline Federowicz XXXXXXXXXXXXXXXXXXXX, Depew XXXXX

Upon roll call

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

Item No. 18b Moved by Councilmember Rogowski, seconded by Supervisor Gabryszak

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

Recreation Attendants - 7140.1614 (Aerobics)
Recreation Instructor IV - \$6.15

Valerie Mrzglad XXXXXXXXXXXXXXXXXXXXXXXXXXXX

Recreation Attendants - 7140.1614 (Kidsercize)
Recreation Instructor IV - \$6.15

Marcia Warner XXXXXXXXXXXXXXXXXXXX
Nicole Zawadzki XXXXXXXXXXXXXXXXXXXXXXXXXXXX

Item No. 18b cont'd.

Upon roll call

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

Item No. 18c 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

TOWN CLERK'S OFFICE - Clerk (SARA Grant) - \$10.00

Kathleen A. Hannel XXXXXXXXXXXXXXX, Cheektowaga XXXXX 09/09/98

Upon roll call

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

Item No. 18d Moved by Councilmember Jaworowicz, seconded by Councilmember Jankowiak

WHEREAS, Jamie Holtz of XXXXXXXXXXXXXXXXXXXX, Cheektowaga, New York, a participant in the Canisius Earning Excellence Program (CEEP) has requested an internship with the Town of Cheektowaga Justice Court, AND

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WHEREAS, said salary for this position has been established at \$8.00 per hour, of which \$4.00 of the student wages will be paid by the Town of Cheektowaga and \$4.00 will be subsidized by Canisius College, NOW, THEREFORE, BE IT

RESOLVED, that Jamie Holtz be and hereby is hired as a Seasonal Intern in the Justice Court, effective September 9th, 1998 to January 7th, 1999, under Justice Court Account #1492.

Upon roll call

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

Item No. 19 Moved by Councilmember Mazur, seconded by Supervisor Gabryszak

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

EFFECTIVE

TOWN CLERK'S OFFICE - Archives Clerk I - \$10.00 per hour

Stephan M. Koenig XXXXXXXXXXXXXXXX, Cheektowaga XXXXXX 09/09/98

TAX OFFICE - Clerk - \$6.25 per hour

Lucille Rokitka XXXXXXXXXXXXXXXX, Cheektowaga XXXXXX 08/24/98

Item No. 19 cont'd.

BE IT RESOLVED, RESOLVED, that the following Seasonal employee be and hereby is transferred as follows:

EMPLOYEE RELATIONS - Clerk - \$6.00 per hour

Lisa Nowicki XXXXXXXXXXXXXXXX, Cheektowaga XXXXXX 09/09/98

Upon roll call

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

Item No. 20 Moved by Councilmember Rogowski, seconded by Supervisor Gabryszak

BE IT RESOLVED, that the following Youth and Recreation employees be and hereby are transferred (Seasonal to Part-Time - effective 9/14/98):

Transfer from 7310.1801 to Adapted Recreation Program - 7310.1803

Recreation Attendant II (Counselor II) - \$5.40

Jillian Pytlewski

Transfer from 7310.1802 to Adapted Recreation Program - 7310.1803

Assistant Program Coordinator/Nurse - \$9.90

Barbara Walters

Recreation Attendant III - \$5.65

Breanne Blachura

Transfer from 7310.1810 to Adapted Recreation Program - 7310.1803

Activity Director I - \$6.90

Kristen Catalano

Jennifer Etzel

Recreation Attendant III (Counselor III) - \$5.65

Mindy Kieser
Paula Panasiewicz

Recreation Attendant II (Counselor II) - \$5.40

Brian Pane
Kelly Sullivan
Timothy Zgliczynski

Recreation Attendant I (Counselor I) - \$5.15

Chirstina Karlinski
Heather Menchini
Nichole Ritzenthaler

Recreation Attendants - 7140.1612

Instructor VIII - \$7.15

Leslie Reeb

Recreation Instructor V - \$6.40

Sandra Rutkowski

Item No. 20 cont'd.

Pre-K - 7310.1664

Senior Recreation Supervisor VIII - \$8.65

Mary Beth Seivert

Instructor VII - \$7.15

Constance Stewart

Recreation Leader III - \$6.65

Joy Donnelly-Smith

Recreation Attendants - 7140.1614

Recreation Attendant IV - \$5.90

Jeffrey Brych
George Hunger
Jamie Lynn Hoffman

Recreation Attendant V - \$6.15

Jennifer Garrison (7140.1614/7140.1664)
Kimberly Mahoney

Recreation Supervisor I - \$6.40

Jill Matuszewski (7140.1614/7140.1613)

Recreation Supervisor II - \$6.65

Dawn Smith (7140.1614/7140.1664)
Dawn Zilbauer

Recreation Supervisor I - \$6.40 (7140.1614)

Recreation Attendant IV - \$5.90 (7310.1814)

Mindy Greenauer

Transfer from Seasonal to Part-Time

Administration Interns - 7310.1804

Noreen Brezowski (effective 8/30)
Donna Griese

Recreation Attendants - 7140.1614

Transfer from Seasonal to Part-Time

Lori Burdzy
Cathleen Cramer
Kathy Gibbs
Joe Halter
Danielle Kashuba
Kari Kowalski
Craig Mahalic
Rebecca Miller
Jay Napieralski
Lisa Santomaggio
Tammy Schumacher
Robert Swiatkowski
Catherine Taber
Laura Thompson

Transfer from Seasonal to Part-Time

Pre-K - 7140.1664

Senior Recreation Supervisor VII - \$8.40

Item No. 20 cont'd.

Recreation Attendants - 7140.1612

Senior Recreation Supervisor VII - \$8.65

Laila Desjardins

Transfer from Part-Time to Seasonal

Recreation Supervisors - 7140.1613

Activity Director - \$7.15

Camille Russell

Upon roll call

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

Item No. 21a Moved by Councilmember Jaworowicz, seconded by Councilmember Swiatek

WHEREAS, the New York State Assessor's Association is conducting a seminar on Assessment Administration in Syracuse, New York on October 4th through October 8, 1998, AND

WHEREAS, said seminar is administered by the New York State Board of Real Property Services for Assessors to obtain continuing education credits, AND

WHEREAS, expenses are not to exceed \$800,000 and reimbursement of part of the expenses will be made by the New York State Board of Real Property Services, NOW, THEREFORE, BE IT

RESOLVED, that William R. Conway, Assessor, be and hereby is authorized to attend said seminar on October 4th through October 8, 1998 and, BE IT FURTHER

RESOLVED, that the registration fee and all other reasonable expenses, not to exceed \$800.00, incurred by William R. Conway be paid by the Town from budget line account #0100-1910-4082.

Upon roll call

MEETING NO. 19
SEPTEMBER 8, 1998

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

Item No. 21b Moved by Councilmember Johnson, seconded by Councilmember Mazur

WHEREAS, operations at the Main Pump Station are subject to New York State Chemical Bulk Storage Regulations (6NYCRR Part 595-599), AND

WHEREAS, the New York State Department of Environmental Conservation has scheduled a workshop for owners of chemical storage facilities subject to the aforesaid regulations for protecting the environment from accidental spills and for bringing said sites into compliance with the State's chemical bulk storage regulations, said workshop to be held at the Parkside Village Community Building, 169 Sheridan-Parkside Drive, Tonawanda, New York, on October 20, 1998, AND

WHEREAS, Lawrence Golas, Superintendent and Jon Nichy, Assistant Superintendent of the Wastewater Pump Station have requested permission to attend this workshop to keep abreast of applicable changes to these regulations, NOW, THEREFORE, BE IT

RESOLVED, that Lawrence Golas and Jon Nichy be and hereby are authorized to attend said workshop and to utilize a Town vehicle to travel to and from such workshop being conducted at no cost to the Town.

Item No. 21b cont'd.

Upon roll call

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

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

WHEREAS, the North Carolina State University is conducting a Supervisor's Management School in Oglebay Park, West Virginia from November 1 - 5, 1998, AND

WHEREAS, this Supervisor's Management School is geared toward recreation professionals and will enhance supervisory and management skills within the department and, BE IT FURTHER

RESOLVED, that Paul Marchewka, Recreation Supervisor for the Department of Youth and Recreational Services, be reimbursed the necessary transportation, meals, lodging and training expenses to attend said Management School at a cost not to exceed: Hotel - \$380.00; meals - \$150.00; (Line Item No. 01-7140-0004-4191); travel - \$179.20 (01-1910-0004-4083) and training fees not to exceed \$399.00 (Line Item 01-7310-0004-4681).

Upon roll call

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

Item No. 21d Moved by Councilmember Mazur, seconded by Supervisor Gabryszak

WHEREAS, Hornell Police Department in conjunction with Eastern Police Canine Association is hosting the 10th Annual Working K-9 Seminar, September 14 - 18, 1998 at Hornell, New York.

WHEREAS, Chief Chamberlin is requesting authorization to send K-9 Officer Daniel Smith and Bristol to this training. Officer Smith has once again been requested to attend this seminar as an instructor. All lodging and meal expenses for this training will be covered by the Hornell Police Department. The K-9 Police Vehicle will be used for transportation to and from this training, NOW, THEREFORE, BE IT

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RESOLVED, that Officer Smith is authorized to attend this training, and that the time spent there is normal duty time.

Upon roll call

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

II. DEPARTMENTAL COMMUNICATIONS

Item No. 22 Building Permits
Received and Filed.

Item No. 23 Minutes of Cheektowaga Planning Board - August 13, 1998
Received and Filed.

III. GENERAL COMMUNICATIONS

Item No. 24 Summons and Complaint: Mary Thomson, as Parent and Natural Guardian of John Anthony Thomson, an Infant, vs the Town of Cheektowaga and Colleen A. Zak
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Highway Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 25a Notice of Claim: Thomas Scere vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Sanitation Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 25b Notice of Claim: Bill Pease 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. 25c Notice of Claim: Scott A. Panfil vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Highway Department and Sign Maintenance Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 26 Designation of Restricted Highway: Paving project begins at the Buffalo East City Line and proceeds easterly 1.4 miles to Harlem Road (Route 240). Then resumes at French Road proceeding southeasterly 1.28 miles to Union Road (Route 277).

Item No. 27a Notice of Petition: API Basco, Inc., c/o American Precision Industries vs the Assessor for the Town of Cheektowaga; Board of Assessment Review for the Town of Cheektowaga, New York; and the Town of Cheektowaga.
Copies sent to Assessor.
Received and Filed.

Item No. 27b Notice of Petition: Avis Rent-A-Car System, Inc. vs the Board of Assessors and/or the Assessor of the Town of Cheektowaga and the Board of Assessment Review.
Copies sent to Assessor.
Received and Filed.

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- Item No. 27c Notice of Petition: Bridgestone/Firestone, Inc. vs the Board of Assessors and the Board of Assessment Review of the Town of Cheektowaga.
Copies sent to Assessor.
Received and Filed.
- Item No. 27d Notice of Petition: Buffalo Inn Associates, c/o Richfield Hospitality Services, Inc.; Buffalo Operating Partnership, L.P. vs the Assessor of the Town of Cheektowaga, New York; Board of Assessment Review of the Town of Cheektowaga, New York; and the Town of Cheektowaga, New York.
Copies sent to Assessor.
Received and Filed.
- Item No. 27e Notice of Petition: Buffalo Rapkin Corp. vs the Board of Assessors and/or the Assessor of the Town of Cheektowaga and the Board of Assessment Review.
Copies sent to Assessor
Received and Filed.
- Item No. 27f Notice of Petition: Buffalo Rapkin Corp. vs the Board of Assessors and/or the Assessor of the Town of Cheektowaga and the Board of Assessment Review.
Copies sent to Assessor.
Received and Filed.
- Item No. 27g Notice of Petition: Calspan Corporation vs the Assessor for the Town of Cheektowaga, New York; Board of Assessment Review of the Town of Cheektowaga, New York; and the Town of Cheektowaga, New York.
Copies sent to Assessor.
Received and Filed.
- Item No. 27h Notice of Petition: Carrols Corp. vs the Assessor; the Board of Assessment Review of the town; and the Town of Cheektowaga, County of Erie, New York.
Copies sent to Assessor.
Received and Filed.
- Item No. 27i Notice of Petition: Conway Transportation Services vs the Board of Assessors and the Board of Assessment Review of the Town of Cheektowaga.
Copies sent to Assessor.
Received and Filed.
- Item No. 27j Notice of Petition: Cook Moving Systems, Inc. vs the Board of Assessors and the Board of Assessment Review of the Town of Cheektowaga.
Copies sent to Assessor.
Received and Filed.
- Item No. 27k Notice of Petition: Robert L. Cronyn vs the Town of Cheektowaga, a Municipal Corporation, its Assessor and Board of Review.
Copies sent to Assessor.
Received and Filed.
- Item No. 27l Notice of Petition: Erie County Water Authority vs the Town of Cheektowaga; the Assessor of the Town of Cheektowaga; and the Board of Assessment Review for the Town of Cheektowaga, County of Erie.
Copies sent to Assessor.
Received and Filed.
- Item No. 27m Notice of Petition: Flanigan's Furniture Showrooms vs the Board of Assessors and the Board of Assessment Review of the Town of Cheektowaga.
Copies sent to Assessor.

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Received and Filed.

- Item No. 27n Notice of Petition: Franchise Realty Interstate Corp., c/o McDonald's Corp. by Eveslage Enterprises vs the Town of Cheektowaga, New York; its Assessor; and its Board of Assessment Review
Copies sent to Assessor.
Received and Filed.
- Item No. 27o Notice of Petition: Franchise Realty Interstate Corp., c/o McDonald's Corp., by Eveslage Enterprises vs the Town of Cheektowaga, New York; its Assessor; and its Board of Assessment Review
Copies sent to Assessor.
Received and Filed.
- Item No. 27p Notice of Petition: ITT Standard vs the Assessor; the Board of Assessment Review of the Town of Cheektowaga; and the Town of Cheektowaga, County of Erie, New York.
Copies sent to Assessor.
Received and Filed.
- Item No. 27q Notice of Petition: Donald R. Leslie vs Town of Cheektowaga.
Copies sent to Assessor.
Received and Filed.
- Item No. 27r Notice of Petition: May Department Stores Company, d/b/a Lord & Taylor vs the Board of Assessors and the Board of Assessment Review of the Town of Cheektowaga, New York.
Copies sent to Assessor.
Received and Filed.
- Item No. 27s Notice of Petition: May Department Stores Company, d/b/a Kaufmann's Department Store vs the Board of Assessors and the Board of Assessment Review of the Town of Cheektowaga, New York.
Copies sent to Assessor.
Received and Filed.
- Item No. 27t Notice of Petition: Gabriele & Jeffrey Mucciarelli vs William Conway, Assessor.
Copies sent to Assessor.
Received and Filed.
- Item No. 27u Notice of Petition: Musarra Realty Holding Company, Ltd. and Musarra Management and Investment Company, Ltd. vs the Town of Cheektowaga, New York; its Assessor; and Board of Assessment Review.
Copies sent to Assessor.
Received and Filed.
- Item No. 27v Notice of Petition: New Creation Fellowship of Buffalo vs Board of Assessment Review and Assessor of the Town of Cheektowaga, New York.
Copies sent to Assessor.
Received and Filed.
- Item No. 27w Notice of Petition: New Penn Motor Express, Inc. vs Assessor of the Town of Cheektowaga and the Town of Cheektowaga, County of Erie, New York/
Copies sent to Assessor.
Received and Filed.

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- Item No. 27x Notice of Petition: New York State Electric & Gas Corporation vs Board of Assessors of the Town of Cheektowaga, Erie County, New York.
Copies sent to Assessor.
Received and Filed.
- Item No. 27y Notice of Petition: Niagara Frontier Transportation Authority vs William R. Conway as Assessor of the Town of Cheektowaga, New York and the Town of Cheektowaga, New York.
Copies sent to Assessor.
Received and Filed.
- Item No. 27z Notice of Petition: Niagara Mohawk Power Corporation vs the Town of Cheektowaga, New York; its Assessor; and the Board of Assessment Review.
Copies sent to Assessor.
Received and Filed.
- Item No. 27aa Notice of Petition: Normpal Genesee Corp., G.G. Zent Corp. and Gary Fradin and Gail Silberstein vs the Town of Cheektowaga, New York; its Assessor; and the Board of Assessment Review.
Copies sent to Assessor.
Received and Filed.
- Item No. 27bb Notice of Petition: Price Enterprises vs the Assessor; the Board of Assessment Review of the Town of Cheektowaga; and the Town of Cheektowaga, County of Erie, New York.
Copies sent to Assessor.
Received and Filed.
- Item No. 27cc Notice of Petition: Prime Hospitality Corp. vs William Conway, Assessor for the Town of Cheektowaga and the Town of Cheektowaga.
Copies sent to Assessor.
Received and Filed.
- Item No. 27dd Notice of Petition: Reichold Chemicals/Sun Chemical Corporation vs the Assessor; Board of Assessment Review of the Town of Cheektowaga; and the Town of Cheektowaga, County of Erie, New York
Copies sent to Assessor.
Received and Filed.
- Item No. 27ee Notice of Petition: Ryder Truck Rental, Inc. vs William Conway, Assessor of the Town of Cheektowaga and the Town of Cheektowaga
Copies sent to Assessor.
Received and Filed.
- Item No. 27ff Notice of Petition: US Foodservice vs the Assessor; the Board of Assessment Review of the Town of Cheektowaga; and the Town of Cheektowaga, County of Erie, New York.
Copies sent to Assessor.
Received and Filed.
- Item No. 27gg Notice of Petition: Union Donut Corp. vs William Conway, Assessor and the Board of Assessment Review of the Town of Cheektowaga, County of Erie and State of New York.
Copies sent to Assessor.
Received and Filed.

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Item No. 27hh Notice of Petition: Union Donut vs William Conway, Assessor and the Board of Assessment Review of the Town of Cheektowaga, County of Erie and State of New York.
Copies sent to Assessor.
Received and Filed.

Item No. 27ii Notice of Petition: James V. Welch vs Board of Assessment Review for the Town of Cheektowaga; the Assessor of the Town of Cheektowaga; and the Town of Cheektowaga, New York.
Copies sent to Assessor.
Received and Filed.



MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY SUPERVISOR GABRYSZAK 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. 28 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 (EFW) Facility in Niagara Falls, New York, AND

WHEREAS, upon information and belief, on or about May 3, 1993, the aforesaid EFW Facility was acquired by the American Ref-Fuel Company of Niagara, AND

WHEREAS, questions have been raised about the interpretation and implementation of certain provisions of the aforesaid Agreement, including the term thereof, the compensation to be paid thereunder, and the establishment and payment of environmental cost changes,

NOW, THEREFORE, BE IT RESOLVED, that the Town Attorney is hereby authorized and directed to review all matters connected with the Solid Waste Disposal Agreement of 1988; and, in addition, he is hereby authorized to take any and all actions and/or proceedings necessary to protect the interests of the Town in such matter.

Upon roll call

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

Item No. 29 Moved by Councilmember Swiatek, seconded by Councilmember Johnson

WHEREAS, on or about November 13, 1996, an automobile owned by the Town of Cheektowaga was damaged in an accident, AND

WHEREAS, the sum of \$430.00 was awarded to the Town for the aforesaid property damage by the Hon. Frederick M. Marshall, Retired Justice of the Supreme Court, acting as a Judicial Hearing Officer,

MEETING NO. 19
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NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be and he hereby is authorized to sign a General Release on behalf of the Town of Cheektowaga, effectuating the appropriate payment to the Town as aforesaid.

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 30 Moved by Councilmember Johnson, seconded by Supervisor Gabryszak to adjourn this meeting. This meeting was adjourned at 8:15 P.M.

Richard M. Moleski
Town Clerk

**MEETING NO. 21
September 21, 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 21st day of September, 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; Kevin Schenk, Deputy Town Attorney; Robert McCarthy, Director of Employee Relations; Sal LaGreca, Chairman of the Planning Board; Bill Pugh, Town Engineer; John Schaller, Assistant Chief of Police; Pat Wojcik, Senior Citizens Director; Paul Tokasz, N.Y.S. Assemblyman.

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:

GENERAL FUND

FROM: 0100-7110-1376	Senior Clerk Typist, PA	\$ 6,932.49
0100-9010-8171	Dental	47,900.00
0100-9010-8975	Retirement Buyout	50,000.00
0100-1450-4342	Polling Place Rental	1,600.00
0100-1450-1799	Election Inspectors	4,250.00
TO: 0100-7110-1375	Account Clerk Typist	\$ 6,932.49
0100-9902-9703	Transfer to Risk Retention	97,900.00
0100-1410-4001	Office Supplies	1,600.00
0100-1410-1391	Part-Time Clerical	4,250.00

PART TOWN FUND

FROM: 0800-3620-1431	Part-Time Plumbing Insp.	\$ 4,100.00
TO: 0800-3620-1391	Part-Time Clerical	\$ 4,100.00

RISK RETENTION FUND

FROM: 1000-1910-5031	Transfer In	\$108,467.00
TO: 1000-1937-4703	Dental/Vision Claims	\$108,467.00

SPECIAL DISTRICTS FUND

FROM: 2500-8125-4163	Gas, Oil, Grease	\$ 14,801.01
2500-8135-4431	Equipment Repair	5,000.00
2500-8125-8171	Dental Insurance	5,447.00
2500-8125-8181	Optical Insurance	1,284.00
2500-8135-8171	Dental Insurance	3,177.00
2500-8135-8181	Optical Insurance	659.00
1500-8160-4475	Consultants	11,000.00

Item No. 2 cont'd

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TO:	2500-8125-4438 Sewer Repairs	\$ 14,801.01
	2500-8135-2512 Roof & Repaving	5,000.00
	2500-8125-9703 Transfer to Risk Retention	10,567.00
	1500-7173-1492 Recycling Seasonal Laborer	11,000.00

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 prior to September 18, 1998 are hereby approved and made a part hereof:

GENERAL FUND	\$ 282,807.38
HIGHWAY FUND	30,919.17
TRUST & AGENCY	5,362.80
PART TOWN FUND	1,626.50
HUD CDBG FUND	3,208.14
HUD HOUSING REHABILITATION	4,600.00
RISK RETENTION FUND	53,039.61
SPECIAL DISTRICTS FUND	511,357.79
CAPITAL FUND	135,031.54
	<u>\$1,027,952.93</u>

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

Item No. 4a 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 Roberts, Schackleton & Boy, Architects for the renovation and addition to the Holiday Inn at 601 Dingens Street, and

WHEREAS, the renovations include enclosing the swimming pool, constructing a new lobby and decreasing the size of the restaurant, and

WHEREAS, these renovations will not result in additional traffic or uses on the property, and

WHEREAS, the property owner will install numerous decorative trees around the site to improve the aesthetics of the inn, and

WHEREAS, the Advisory Committee, at its meeting held on September 16, 1998 rendered the determination shown on the attached memo dated September 17, 1998, and

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

Item No. 4a cont'd

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September 21, 1998

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. 4b 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

**MEETING NO. 21
September 21, 1998**

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 William R. Decker to rezone from M1-Light Manufacturing District to CM-General Commercial District the property at 6700 Transit Road, presently occupied by a Holiday Inn Express, and

WHEREAS, the rezoning was requested to place the facility in a zoning district which permits such use, thereby eliminating the legal non-conforming status, and

WHEREAS, the Advisory Committee at its meeting held on July 29, 1998 rendered the determination shown on the attached memo dated July 30, 1998, and

WHEREAS, the 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. 5 Motion by Councilmember Swiatek, Seconded by Councilmember Johnson

WHEREAS, Eugene R. Piotrowski Builder, Dev., Inc., agent for Eric & Sharon Jaszka, has made application and requested the rezoning of property located at 2550 Union Rd. from R-Residential District to NS-Neighborhood Services District, NOW, THEREFORE, BE IT

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September 21, 1998

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on October 5, 1998 at 6:30 o'clock P.M. at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

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

AFFIDAVIT - NEXT PAGE

Item No. 6 Motion by Councilmember Johnson, Seconded by Councilmember Rogowski

WHEREAS, on June 6, 1955, the Town Board of the Town of Cheektowaga adopted an ordinance now known as Chapter 65, Article II, of the Code of the Town of Cheektowaga, setting forth Town specifications for the construction of sidewalks in the Town, and

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WHEREAS, pursuant to Section 200-a of the Town Law of the State of New York, a town board may adopt orders from time to time directing the owners of lots abutting on streets within such town to construct sidewalks along such street, and

WHEREAS, there is presently no sidewalk along the west side of Towers Boulevard from the south side of Losson Road to a distance of 217.11± feet southerly (Assessor's S.B.L. #114.18-2-25), and the Town desires to have a sidewalk constructed thereon due to the fact that such property is located near a busy intersection and near the entrance to Stiglmeier Park, NOW, THEREFORE, BE IT

ORDERED that French Lea Corporation, the owners of the above referenced property identified as assessor's S.B.L. #114.18-2-25, be and hereby is directed to construct a sidewalk in front of such property along Towers Boulevard in the Town of Cheektowaga on or before October 15, 1998, and BE IT FURTHER

ORDERED that should said owner of S.B.L. #114.18-2-25 not so construct such sidewalk on or before October 15, 1998, this Board shall cause same to be built and assess the expense thereof against property identified as S.B.L. #114.18-2-25, and BE IT FURTHER

ORDERED that the Town Clerk be and hereby is directed to forward a certified copy of this resolution, by certified mail , to French Lea Corporation at 31 Domino Court, Depew, New York 14043.

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

Item No. 7a Motion by Supervisor Gabryszak, Seconded by Councilmember Rogowski

WHEREAS, the Town of Cheektowaga has received a 12 month extension from the U.S. Department of Health and Human Services Center for Substance Abuse Prevention to fund the Suburban Wellness Community Coalition program, and

WHEREAS, the grant extension has provided funds for the continuation of evaluation and workplace assistance contracts, and

WHEREAS, the extension identifies Nowak and Associates, 146 Park Forest Drive, Williamsville, New York as the Evaluation Consultant and the Cheektowaga Chamber of Commerce, 2875 Union Road as the Workplace Assistance Consultant, NOW, THEREFORE, BE IT

RESOLVED that under the terms and conditions of the extension for grant number SPO7663, the Supervisor be authorized to execute agreements with the parties listed below, effective for the period of October 1, 1998 through June 30, 1999 with total costs covered by line item 0100-7321-4000.

Nowak and Associates	\$37,000.00
Cheektowaga Chamber of Commerce	\$ 9,720.00

and BE IT FURTHER

RESOLVED that prior to the execute of the contracts, the Town 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. 7b 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 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

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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 October 1st, 1998 through December 31st, 1998 with total costs not to exceed:

Cheektowaga Action Partnership, Inc.	-	\$5,230.00
Cheektowaga Department of Youth & Recreational Services	-	\$1,600.00

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. 7c Motion by Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, the Town has previously approved an agreement with Be-A-Friend Program, Inc. which is scheduled to expire on September 30, 1998, and

WHEREAS, the funds authorized under the current agreement have not yet been fully utilized, and

WHEREAS, Be-A-Friend Program, Inc. has requested a time-only extension of the existing agreement in order to complete the services provided for therein, and

WHEREAS, the Director of Community Development has recommended an extension of said agreement for a period of one year from the date of original expiration, NOW, THEREFORE, BE IT

RESOLVED that the Agreement between the Town of Cheektowaga and Be-A-Friend Program, Inc., dated October 1, 1997 be and hereby is extended to September 30, 1999, said action authorizing an extension of time only without an increase to the original contract amount of \$30,000, and BE IT FURTHER

RESOLVED that the terms and conditions of the original Agreement shall remain in effect during the contract extension period, and BE IT FURTHER

RESOLVED that the Supervisor is hereby authorized to execute any documents necessary to affect said contract extension.

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

Item No. 7d 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 55 Campbell Road, Cheektowaga, New York, and

WHEREAS, the owner of said property has applied for a mortgage loan from Conti Mortgage Corporation for the purpose of refinancing existing mortgage debt and other expenses at a lower interest rate, and

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WHEREAS, Conti Mortgage Corporation has conditioned approval of the mortgage on the subordination of the Town's mortgage to that of Rochester Community Savings Bank, and

WHEREAS, the Community Development Director has reviewed the request and has recommended approval of the subordination under a waiver of subordination guidelines governing debt to value ratio in order to allow for lower, more affordable mortgage payments for the owner under an arrangement whereby the Town's mortgage position will remain unchanged as a result of the subordination, thereby preserving the Town's mortgage interest in the property at the level prior to the subordination, NOW, THEREFORE, BE IT

RESOLVED THAT THE Supervisor be and hereby is authorized to execute a Subordination Agreement with Conti Mortgage Corporation, 338 South Warminster Road, Hatboro, Pennsylvania 19040, as recommended by the Town Director of Community Development in relation to the Town's Housing Rehabilitation loan secured by a mortgage on the property located at 55 Campbell Road, Cheektowaga, New York.

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

Item No. 7e 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 housing rehabilitation loans to the owner of the properties identified below in the amounts indicated, NOW, THEREFORE, BE IT

RESOLVED that the Town Board hereby authorizes and directs the Supervisor to execute a housing rehabilitation loan agreement with the owners of the properties listed below in the amounts indicated:

<u>Property Address</u>	<u>Loan Amount Not to Exceed</u>
1581 Como Park Blvd., Depew, NY	\$33,000.00
151 Gerard Ave., Chktg., NY	\$31,000.00
178 Ellen Drive, Chktg, NY	\$34,000.00
221 Burke Road, Chktg, NY	\$29,000.00

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

Item No. 7f Motion by Unanimous, Seconded by Unanimous

WHEREAS, the Town of Cheektowaga previously approved a lease agreement with Commonwealth Sport Fund LLC for the construction and operation of a golf course on Town-owned property located south of Genesee Street and west of Transit Road in the Town, and

Item No. 7f cont'd

WHEREAS, prior to negotiating such lease agreement, the Town conducted the environmental review of the golf course, and contacted various governmental agencies to request input and information concerning the necessity for permits for such project, and

WHEREAS, the Army Corps of Engineers ("Army Corps") and the New York State Department of Environmental Conservation ("DEC") require the filing of a Joint Application for Permit for a Nationwide 26 Permit for Wetlands, and

WHEREAS, the DEC also requires the Town to file a Notice of Intent for Stormwater Discharge for drainage work on the golf course, and

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WHEREAS, the Town must also file with the Federal Aviation Administration ("FAA") a Notice of Proposed Construction or Alteration since the golf course is in the vicinity of the Greater Buffalo Niagara International Airport, and

WHEREAS, there may be other permits which the Town is required to file in connection with the construction of the golf course, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute any and all permits, including those referenced above, in connection with the golf course project.

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

NAYES: 0

ABSENT: 0

Item No. 7g Motion by Councilmember Mazur, Seconded by Councilmember Swiatek

WHEREAS, the Maryvale Senior High School has established a Career Exploration Internship program for its students to give them on-the-job experience in different fields of work, and

WHEREAS, this internship program allows students to earn unit credits in school for such internship and such internship is non-paid, and

WHEREAS, Jessica Kensy, a student at Maryvale Senior High school, has expressed a desire to conduct a career exploration internship in the Cheektowaga Justice Court, and

WHEREAS, the Maryvale School System carries general liability and workers compensation insurance to cover its interns, and

WHEREAS, the Supervising Building Inspector agreed to the internship of Jessica Kensy, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby accepts the non-paid internship of Jessica Kensy through Maryvale Senior High School, said internship to take place in the Cheektowaga Justice Court, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the Memorandum of Agreement with Maryvale Senior High School for this internship.

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

NAYES: 0

ABSENT: 0

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

WHEREAS, the Police Department has deemed the vehicles listed below to be unserviceable and no longer useful by the Department, and

WHEREAS, Chief Chamberlin is requesting authorization to auction these vehicles by Scherrer Auctions, Inc. on September 19th, 1998 at 10:00 A.M., and

Item No. 8 cont'd

WHEREAS, the vehicles to be auctioned are as follows:

- 1992 Chevrolet Caprice, Vin# 1G1BL537NW156312
- 1986 Oldsmobile Royale, Vin# 1G3HN543XHH328206
- 1991 Ford Mustang, Vin# 1FACP42E9MF129341
- 1973 Honda Cycle, Vin# CL1757004852
- 1973 Honda Cycle, Vin# CL1757005030

NOW, THEREFORE, BE IT

RESOLVED that Chief Chamberlin is authorized to auction above vehicles and all proceeds from said auction will go to the General Fund.

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

Item No. 9 Motion by Councilmember Rogowski, Seconded by Councilmember Jaworowicz

WHEREAS, the Town of Cheektowaga is the owner of artificial turf utilized in the Cheektowaga Recreation Center for indoor soccer ,and

WHEREAS, the Facilities Department has notified this Town Board that such artificial turf, in its used condition, is surplus to the needs of the Town and of no value to the Town, and

WHEREAS, the Buffalo School of Baseball/Rick Lancellotis has offered to purchase such artificial turf from the Town for a price of \$100.00, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby accepts the offer of Buffalo School of Baseball/Rick Lancellotis to purchase the above referenced artificial turf from the Town for \$100.00, and BE IT FURTHER

RESOLVED that the Facilities Department Director be and hereby is directed to make arrangements for such artificial turf to be picked up by the Buffalo School of Baseball/Rick Lancellotis.

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

Item No. 10 Motion by Councilmember Mazur, Seconded by Councilmember Johnson

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 3700 Harlem Road, Cheektowaga, New York, SBL # 80.17-9-7.1 and according to the Assessors' Office is owned by Rite Aid of New York Incorporated, P.O. Box 3165, Harrisburg, PA 17105, and

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

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

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

Item No. 11 Motion by Unanimous, Seconded by Unanimous

WHEREAS, this Town Board previously approved a lease agreement with Commonwealth Sport Fund LLC ("Commonwealth") for the construction and operation of a golf course on town-owned property located south of Genesee Street and west of Transit Road in the Town, and

WHEREAS, one of the clauses in such agreement requires the Town to locate various utility easements on the survey for such Town-owned lands, and

WHEREAS, Nussbaumer & Clarke, Inc., the engineers who prepared the original survey for the golf course, have agreed to locate these easements on the survey for the golf course at a cost not to exceed \$1,000.00, and

WHEREAS, as part of Commonwealth's prepayment of rent on the lease, the moneys spent by the Town for the golf course, including fees payable to Nussbaumer & Clarke, Inc. herein, will be reimbursed to the Town, NOW, THEREFORE, BE IT

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RESOLVED that this Town Board hereby retains Nussbaumer & Clarke, Inc. to locate easements on the survey for the golf course at a cost not to exceed \$1,000.00 and BE IT FURTHER

RESOLVED that moneys for such services shall be appropriated from budget line item number 5817-7140-1100.

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

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

BE IT RESOLVED that the personnel policies for the Chief of Police and the Assistant Chief of Police, copies of which are attached hereto and made a part hereof, be and hereby are adopted by the Town Board, effective immediately.

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

**SEE NEXT PAGE(S) for ATTACHMENT

Motion by Councilmember Jankowiak, Seconded by Councilmember Swiatek to dispense with the reading of the names on Items 13a, 13b and 13c (all pertaining to termination) and the voting was as follows:

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

Item No. 13a 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:

Brian Anken	Michael Miszewski
Jeffery Bartel	Thomas Mudd
Jennifer Battaglia	Erin O'Brien

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Jonathan Bialek	Sean O'Brien
Jessica Boersma	James O'Connor
Jennifer Bogacz	Jessica Oddo
James Bolzio	Robert Oddo
Mary Kay Brezowski	Michael O'Sullivan
Maureen Brezowski	Jonathan Owens
Nicholas Buczek	Robert Pantling
Eric J. Burns	Nicole Petruniak
Eric D. Burns	Tanis Phillips
Scott Butts	Linda Marie Piesczynski
Scott Callen	Nicholas Pijanowski
Jonathan Chapp	Jeff Proehl
Alissa Cianflone	Greg Prybylski
Adam Connor	Mark Przybysz
Eric Corcoran	Jennifer Pugh
Sarah DeFields	Paul Ray
James Dombrowski	Erik Reinheimer
Robert Dubel	Mary Beth Rokitka
Paul Dusza	David Roma
Kyle Eich	Shaun Rozenwicz
Scott Fleetwood	David Schiess
Shannon Fletcher	Lisa Schirching
James Galioto	David Schnettler
Samantha Garcea	Joy Schnettler
Paul Gasiewicz	Melissa Seifert
Tracey Gottel	Elizabeth Sinski
Nick Graf	Amy Snyder
Abagael Grupka	Andrea Solecki
Kurt Hansen	Brian Stachewicz
Courtney Hoerner	Angela Stallone
Jillian Jasinski	Ben Stein
Sarah Jaskowski	David Stoklosa
Anthony Kalisz	Jennifer Strobele
Sarah Kazukiewicz	Mark Strobele
Nicholas King	Justin Stucke
Christina Klaffka	Amanda Suriani
Derrick Kowal	Amy Szymanski
Jeremy Kowal	Karol Szymczuk
Justin Krasinski	Justin Tricoli
Tamara Krawczyk	Caitlin Vanderbush
Kristopher Kubiak	William Vanneli
John Kulesz	Christopher Viapiano
Lori Lacey	Philip Wachowiak
Caroline Lewis	Jennifer Wagner
Melissa Luczkowiak	Scott Wahler
Kathleen Mastandrea	Corry Walter
Randy Matuszewski	Sharon Wasielewski
Luke Mazur	Nicole Wilkolaski
Natalie Michalski	Evan Zynda

Item No. 13a cont'd

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

Item No. 13b Motion by Councilmember Mazur, Seconded by Councilmember Jaworowicz

WHEREAS, Jacqueline Federowicz was terminated effective September 8, 1998, and

WHEREAS, the effective date of said termination should have been September 22, 1998, NOW, THEREFORE, BE IT

RESOLVED that the following seasonal and/or part-time employee be and hereby is terminated as listed:

POLICE DEPARTMENT

EFFECTIVE

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Jacqueline Federowicz

9/22/98

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

Item No. 13c Motion 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

FACILITIES DEPARTMENT

Adam Nagy Immediately
Patrick Nagy "
Christian Lindner "
James Rogowski "
Jason Dorman "
Lucas McCuiston "
David Michalski "

RECYCLING DEPARTMENT

Patrick McCloskey Immediately

SIGN MAINTENANCE

Henry Macadlo Immediately

TAX OFFICE

Virginia Krauss Immediately

POLICE DEPARTMENT - Crossing Guard

Eleanor Stachewicz 10/22/98

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

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

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

Item No. 14a cont'd

WHEREAS, the By-Laws of the Cheektowaga Economic Development Corporation, approved by the Cheektowaga Town Board on February 7, 1998, provide that the Directors of the Cheektowaga Economic Development Corporation will be appointed by resolution of the Cheektowaga Town Board, and

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

RESOLVED that the following individual is hereby appointed to the Board of Directors of the Cheektowaga Economic Development Corporation, effective immediately, for a term of up to three years and expiring at the time of reappointment to the Corporation's Board of Directors for said position, but no later than May 31, 2001: Donna Luh, XXXXXXXXXXXXXXX, Depew, New York XXXXX.

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

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Item No. 14b Motion by Councilmember Rogowski, Seconded by Supervisor Gabryszak

WHEREAS, the Department of Youth and Recreational Services has utilized the committees of the Cheektowaga Action Partnership as an advisory board for citizen and professional input; and

WHEREAS, the Town of Cheektowaga, as a recipient of State-Aid to provide youth programming, is required to have a youth board as set forth in NYS Office of Children and Family guidelines; and

WHEREAS, the Town of Cheektowaga has established a Constitution and By-Laws for the Cheektowaga Youth Board, NOW, THEREFORE, BE IT

RESOLVED that the following individuals be and hereby, are appointed to the Cheektowaga Youth Board, effective this date through the specified termination date:

Lynne Robinson	9/20/2001
Linda Walkow	9/20/2001
Thomas Tierney	9/20/2001
Paul Przybysz	9/20/1999
John Skillicorn	9/20/2000
John Grande	9/20/2000
Linda Czubaj	9/20/1999
Suzanne DeFields	9/20/1999
Lorraine Bell	9/20/2001
Jeanie Morganstern	9/20/2000
James LiPuma	9/20/2000
Angelo Logalbo	9/20/1999
Keith Christ	9/20/1999
Kristel Kulesz	9/20/2000
Aaron Jerzewski	9/20/2000
Jennifer Farugia	9/20/2000

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

Item No. 15 Create position of Network Administrator (part-time)
This item was withdrawn.

Item No. 16 Motion by Councilmember Mazur, Seconded by Councilmember Jankowiak

WHEREAS, this Town Board previously appointed Jacqueline Federowicz to the position of Court Officer (Part-Time), effective September 9, 1998, and

WHEREAS, her date of hire should have been effective September 22, 1998, NOW, THEREFORE, BE IT

RESOLVED that Jacqueline Federowicz hereby be hired as Court Officer effective September 22, 1998.

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 Carol M. Szczesniak of XXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed to the position of Part-Time Police Matron on a per diem, hourly basis effective immediately.

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

Item No. 16c Motion by Councilmember Rogowski, Seconded by Supervisor Gabryszak

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

Recreation Attendants - 7140.1614

Recreation Attendant II - \$5.40
Joelle Pantling XXXXXXXXXXXXXXXXXXXXXXXX

Adapted Recreation Program - 7310.1803

Recreation Attendant IV - \$5.90
Timothy Isch XXXXXXXXXXXXXXXXXXXXXXXX

Rink Personnel - 7140.1611

Recreation Attendant IV - \$5.90
Wilmar Froman, Jr. XXXXXXXXXXXXXXXXXXXXXXXX
Kim Michalek XXXXXXXXXXXXXXXXXXXXXXXX

Pre-K - 7140-1664

Recreation Leader V - \$7.15
Renee fuller XXXXXXXXXXXXXXXXXXXXXXXX
(effective 9/21/98)

Recreation Instructor IV - \$6.15
Barbara Odrobina XXXXXXXXXXXXXXXXXXXXXXXX
(retroactive to 9/14/98)

Ann Sheldon XXXXXXXXXXXXXXXXXXXXXXXX
(retroactive to 9/17/98)

Gymnastics - 7140.1630

Recreation Attendant I - \$5.15
Amy Witt XXXXXXXXXXXXXXXXXXXXXXXX

Item No. 16c cont'd

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

Item No. 16d Motion by Councilmember Mazur, Seconded by Councilmember Jaworowicz

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

EFFECTIVE

POLICE DEPARTMENT - Network Administrator - \$25.00 per hour
Mark Orzechowski XXXXXXXXXXXXXXX, Cheektowaga, XXXXX Immediately

SANITATION DEPARTMENT - Laborer - \$6.00 per hour
Charles Egloff XXXXXXXXXXXXXXX, Cheektowaga, XXXXX Immediately

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Motion by Councilmember Mazur, Seconded by Councilmember Jaworowicz 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 Mazur, Seconded by Councilmember Jaworowicz

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

EFFECTIVE

SANITATION DEPARTMENT - Laborer - \$6.00 per hour

Charles Egloff XXXXXXXXXXXXXXXXXXXX, Cheektowaga, XXXXX Immediately

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

Item No. 16e Motion by Councilmember Mazur, Seconded by Councilmember Rogowski

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

EFFECTIVE

FACILITIES - Laborer - \$6.00 per hour

Michael Full XXXXXXXXXXXXXXXXXXXX Cheektowaga, XXXXX 9/22/98

Item No. 16e cont'd

SEWER MAINTENANCE - Laborer - \$6.00 per hour

David Tomasello XXXXXXXXXXXXXXXXXXXX, Depew XXXXX 9/22/98

TAX OFFICE - Clerk (Night Shift) \$5.25 per hour

Lucille McCabe XXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX 9/11/98

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

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

BE IT RESOLVED that the following Youth and Recreation employees be and hereby are transferred and/or upgraded, effective September 28, 1998

PART-TIME

Recreation Attendants - 7140.1614

Recreation Attendant II - \$5.40

Anthony Hunger
Jay Napieralski (7140.1614/7140.1611)

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Brian Pane

Recreation Attendant IV - \$5.90
Jill Zarazinski (7140.1614/7140.1613)

Rink Personnel - 7140.1611

Recreation Attendant III - \$5.65
Michelle Diehl

Recreation Attendant V - \$6.15
Glen Au
Tom Goff
Michael Rainville

PART-TIME to SEASONAL

Hockey - 7140.1639

Recreation Leader III - \$6.65
Matthew Bean

Rink Personnel - 7140.1611

Recreation Leader V - \$7.15
Eugene Pytlewski

FROM SEASONAL to PART-TIME

Julie Babulski
Jacques Desjardins
Chris Garcea
Peter Greenauer (add to Line 7140.1614)
Robert Halter
Teri-Ann Duszynski
Jack Hornung
Roger Newhouse

Peter Odrobina
Cheryl Ostempowski
Mark Ostempowski
Janelle Patterson
Anthony Pierino
Cheryl Stucke
Jason Wheeler

Rink Personnel - 7140.1611

Recreation Attendant IV - \$5.90
Michael Barnhard
Darryl Lindell

Item No. 17 cont'd

Recreation Attendant V - \$6.15
James Brydalski

Soccer - 7140.1636

Recreation Attendant V - \$6.15
Mary Murphy (7140.1636/7140.1611)

Sports Camps - 7140.1646

Recreation Attendant V - \$6.15
Steven Ciemcioch (7140.1646/7140.1813)

and BE IT FURTHER

RESOLVED that Michelle Kunkel, previously appointed to the temporary position of Recreation Attendant be and hereby is transferred to the position of Recreation Supervisor, (seasonal) effective October 5, 1998.

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

NAYES: 0

ABSENT: 0

Item No. 18a Motion by Councilmember Jaworowicz, Seconded by Supervisor Gabryszak

MEETING NO. 21
September 21, 1998

WHEREAS, the New York State Office of Court Administration will be holding a continuing Judicial Education program in Buffalo, New York on October 4, 5, 6 and 7, 1998, and

WHEREAS, Town Justices Thomas E. Kolbert and Ronald E. Kmiotek have requested permission to attend said Judicial Education program, and

WHEREAS, basic and advanced certification courses will be given at said program and will be used toward satisfying the judicial education requirements for Town Justices, NOW, THEREFORE, BE IT

RESOLVED that Town Justices Thomas E. Kolbert and Ronald E. Kmiotek be and hereby are authorized to attend the aforementioned continuing Judicial Education program, and BE IT FURTHER

RESOLVED that all necessary and reasonable expenses for attending such program be reimbursed to said Town Justices from Budget Line Item Number 0100-1110-4082, not to exceed Four Hundred and Fifty Dollars.

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

Item No. 18b Motion by Councilmember Jaworowicz, Seconded by Supervisor Gabryszak

WHEREAS, the office of Court Administration will be conducting a Seminar for Town Court Clerks on October 4, 5, 6, and 7, 1998 in Buffalo, New York, and

WHEREAS, the Cheektowaga Town Justices have requested permission for two court clerks, Sandra Stapleton and Stephanie Lewandowski to attend this seminar, and

WHEREAS, said seminar would provide such court clerks with up-to-date information on recordkeeping, criminal disposition reporting, new legislation, small claims and civil matters, NOW, THEREFORE, BE IT

RESOLVED that court clerks, Sandra Stapleton and Stephanie Lewandowski be and hereby are authorized to attend such seminar, and BE IT FURTHER

Item No. 18b cont'd

RESOLVED that the reasonable and necessary expenses for attending such seminar shall be reimbursed to said court clerks out of budget line number 0100-1110-4082, not to exceed four hundred and Fifty Dollars.

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

Item No. 18c Motion by Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, the National Crime Prevention Council in part with the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice and the Crime Prevention Coalition of American will be hosting the 1998 National Crime Prevention Conference in Washington, DC, October 10-14, 1998, and

WHEREAS, Chief Chamberlin is requesting authorization to send Lt. Christine Ziembra to this conference. Over 70 workshops will be offered covering Law Enforcement & Prevention, Youth & Crime Prevention, Tools for Crime Prevention, and Community-Based Crime Prevention, to name a few. The Police Department will be responsible for travel, lodging, registration and meals amounting to approximately \$1,275.00, NOW, THEREFORE, BE IT

RESOLVED that Chief Chamberlin is authorized to send Lt. Ziembra to this training, and that the time she spends there be authorized as normal duty time. Expenses will be charged to 0100-3120-4005 and 0100-3120-4085.

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

II. DEPARTMENTAL COMMUNICATIONS

Item No. 19 1999 Tentative Benefit Basis Budget
Received and Filed.

Item No. 20 Supervisor's Statement of Funds
Received and Filed.

III. GENERAL COMMUNICATIONS

Item No. 21a Notice of Claim - Travelers Property Casualty, subrogee of Kathleen Heller-Ziembra
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. 21b Notice of Claim - Harry Bollman vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town
Attorney; Council Office; Allied Claims, Insurance Company; Sanitation.
Received and Filed.

Item No. 21c Notice of Claim - Virginia Zulatowski 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. 21d Notice of Claim - Lorraine Turchiarelli vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town
Attorney; Council Office; Allied Claims, Insurance Company; Sign Maintenance; Chief
of Police.
Received and Filed.

Item No. 21e Notice of Claim - Marie Manley vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town
Attorney; Council Office; Allied Claims, Insurance Company; Sign Maintenance; Chief
of Police.
Received and Filed.

Item No. 21f Notice of Claim - Deborah & Dennis Mikolin vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town
Attorney; Council Office; Allied Claims, Insurance Company; Facilities Department.
Received and Filed.

Item No. 21g Notice of Claim - Pendergast vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town
Attorney; Council Office; Allied Claims, Insurance Company; Sanitation.
Received and Filed.

Item No. 22a Notice of Petition - Prime Hospitality Corp. vs William R. Conway, Assessor and the
Town of Cheektowaga
Received and Filed.

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Item No. 22b Notice of Petition - Ryder Truck Rental, Inc. vs William R. Conway, Assessor and the Town of Cheektowaga.
Received and Filed.

Item No. 22c Notice of Petition - Daniel Scaglione vs William R. Conway, Assessor and the Town of Cheektowaga
Received and Filed.

IV. SUSPENSION OF RULES

Motion by Councilmember Johnson, Seconded by Councilmember Rogowski to suspend the rules to include the following three (3) items, and the voting was as follows:

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

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

WHEREAS, William R. Decker has petitioned for the rezoning from M1-Light Manufacturing District to CM-General Commercial District of property owned by W.D. Associates, L.P. and located at 6700 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 17th day of August, 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

Item No. 23 cont'd

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

WHEREAS, this Town Board previously issued a Negative Declaration under SEQRA and the Town Environmental Impact Review Ordinance for this rezoning,

NOW, THEREFORE, BE IT RESOLVED that the application of William R. Decker for the rezoning from M1-Light Manufacturing District to CM-General Commercial District of the property specified in the attached legal description be and the same is hereby granted, 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

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Item No. 24 Motion by Councilmember Rogowski, Seconded by Councilmember Jaworowicz

WHEREAS, bids were previously advertised for One (1) New and Unused, 1998 or 1999 Model ONE TON DUMP TRUCK Vehicle for use by the Cheektowaga Highway Department, and

WHEREAS, no proposals were received, the Town Clerk is directed to publish a Notice to Bidders for the purchase of One (1) NEW AND UNUSED, 1998 or 1999 MODEL ONE TON DUMP TRUCK 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, NY 14227, between the hours of 9:00 AM and 4:30 PM, Monday thru Friday and BE IT FURTHER

RESOLVED that the Town Clerk is hereby designated as the Officer to open bids on the aforesaid items at 11:00 A.M. on October 2, 1998.

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



TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT

LEGAL NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that the Town of Cheektowaga Highway Department will received proposals for the purchase of One (1) NEW AND UNUSED 1998 or 1999 MODEL, ONE TON DUMP TRUCK for use of the Highway Department at a bid opening to be held in the Council Chambers at the Cheektowaga Town Hall, on October 2, 1998 at 11:00 AM.

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Information for bidders and specifications may be obtained from the office of Richard Moleski, Town Clerk at his office located at Town Hall, Cheektowaga, NY. Bids must be enclosed in an opaque envelope plainly marked "BIDS FOR ONE (1) NEW AN UNUSED 1998 or 1999 MODEL, ONE TON DUMP TRUCK".

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: September 21, 1998

Published: September 24, 1998



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

AFFIDAVIT - NEXT PAGE

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

WHEREAS, Mobil Oil Corporation has petitioned for the rezoning from CM-General Commercial District to MS-Motor Service District of property owned by it and located at 3550 Genesee Street, 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 3rd day of August, 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, this Town Board previously issued a Negative Declaration under SEQRA and the Town Environmental Impact Review Ordinance for this rezoning,

NOW, THEREFORE, BE IT RESOLVED that the application of Mobil Oil Corporation for the rezoning from CM-General Commercial District to MS-Motor Service District of the property specified in the attached legal description be and the same is hereby approved, and BE IT FURTHER

RESOLVED that the Zoning Map and Ordinance 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

MEETING NO. 21
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Item No. 26 Motion by Councilmember Mazur, Seconded by Councilmember Rogowski
to adjourn the meeting.
Time Adjourned: 7:50 PM.

RICHARD M. MOLESKI
Town Clerk