



Town of Cheektowaga

Regular Meeting

~ Agenda ~

Cheektowaga, NY 14227

<http://www.town.cheektowaga.ny.us>

Vickie L. Dankowski
716-686-3434

Tuesday, October 10, 2017

7:00 PM

Council Chambers

I. Pledge of Allegiance

II. Moment of Silence for Our Veterans

III. Invocation

IV. Call to Order

7:00 PM Meeting called to order on October 10, 2017 at Council Chambers, 3301 Broadway, Cheektowaga, NY.

Attendee Name	Present	Absent	Late	Arrived
Supervisor Diane Benczkowski	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Councilmember James P. Rogowski	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Councilmember Gerald Kaminski	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Councilmember Timothy J. Meyers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Councilmember Christine Adamczyk	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Councilmember Linda Hammer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Councilmember Alice Magierski	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

V. Recognition

VI. Approve Minutes

VII. Public Comment Period

Pursuant to Town Policy adopted April 18, 1994, this is an opportunity for residents to comment on items appearing on the AGENDA of the Town Board meeting. The public comment period should last 15 minutes maximum. Each speaker may speak only once. Each speaker shall be limited to a maximum of 3 minutes speaking time.

VIII. Public Hearings

1. Rezoning Request - 3535 Genesee Street
2. Rezoning Request - 2224, 2228 & 2240 Old Union Rd
3. Community Development Funds

IX. Resolutions



1. RESOLUTION 2017-563

Transfer of Funds

Sponsored By: Supervisor Benczkowski, Councilmember Hammer

BE IT RESOLVED, that the following transfer is hereby approved and made part hereof;

GENERAL

FROM:	100.1110.4082	Business Travel	\$2,500.00
	100.7140.2126	Pool Rental	303.82
TO:	100.1110.4013	Law Books	\$2,500.00
	100.7180.1902	Pool Supervisors	303.82



2. RESOLUTION 2017-564

Warrant

Sponsored By: Supervisor Benczkowski, Councilmember Hammer

BE IT RESOLVED, that the following Vouchers & Warrants submitted to the Town of Cheektowaga prior to October 10, 2017 are hereby approved and made part hereof;

GENERAL FUND	\$244,955.31
RISK RETENTION FUND	22,603.53
NYS HOME PROGRAM	0.00
DEBT	0.00
HUD HOUSING REHABILITATION FUND	129,971.70
SPECIAL DISTRICTS FUND	53,514.32
HIGHWAY FUND	100,050.97
CAPITAL FUND	919,698.27
TRUST & AGENCY FUND	7,325.52
HUD CDBG FUND	3.00
PART TOWN FUND	2,789.98
NYS AFFORDABLE HOUSING	10,710.80
	<hr/>
	\$1,491,623.40



3. RESOLUTION 2017-565

Amend Resolution #2016-497 - Direct Supervisor to sign Public Utility Work Agreement HC-140 for Street Light Adjustments on Walden Avenue at Galleria Drive/Anderson Road

Sponsored By: Supervisor Benczkowski, Councilmember Kaminski

WHEREAS, the New York State Department of Transportation proposes intersection safety improvements and the minor reconstruction of Walden Avenue at Galleria Drive/Anderson Road in the Town of Cheektowaga located in Erie County, PIN 5811.06, AND

WHEREAS, the State will include as part of the construction, reconstruction or improvement of the above mentioned project the relocation and replacement of designated street lights pursuant to Section 10, Subdivision 24 of the State Highway Law, as shown on the contract plans relating to the project and meeting the requirements of the owner, AND

WHEREAS, the service life of the relocated and/or replaced utilities has not been extended, AND

WHEREAS, the State will provide for the reconstruction of the above mentioned work, as shown on the contract plans relating to the above mentioned project, NOW, THEREFORE, BE IT

RESOLVED, that the Town of Cheektowaga approves of the designated street light adjustments and the above mentioned work performed on the project and shown on the contract plans relating to the project providing that such modifications meet the approval of the Town Engineer, AND, BE IT FURTHER

RESOLVED, that all costs associated with the adjustment and modification to street lighting facilities are to be borne by the NYSDOT as an integral part of the highway reconstruction project, AND, BE IT FURTHER

RESOLVED, that the Town of Cheektowaga agrees to maintain said street lighting facilities upon completion of their installation, AND, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is directed, on behalf of this Town Board, to sign the Public Utility Work Agreement HC-140, submitted by the New York State Department of Transportation, which provides for adjustment and modification to street lighting facilities.



4. RESOLUTION 2017-566

Award of Bid for the Purchase of Copy Paper and Envelopes

Sponsored By: Councilmember Magierski, Supervisor Benczkowski

WHEREAS, in accordance with the policies and procedures adopted by the Cheektowaga Town Board for the procurement of goods and services, the Cheektowaga Town Attorney's Office has solicited and reviewed proposals for the purchase of copy paper and envelopes, AND

WHEREAS, proposals were received and reviewed by the Cheektowaga Town Attorney's Office for the provision of said copy paper and envelopes, AND

WHEREAS, W.B. Mason Co., Inc. has submitted the lowest responsible quotation for the provision of copy paper and envelopes, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby awards the contract for the provision of copy paper and envelopes at a cost of \$6,829.26 to:

W.B. Mason Co., Inc.
2855 Broadway
Cheektowaga, New York 14227



5. RESOLUTION 2017-567

Designation of Halloween Night

Sponsored By: Supervisor Benczkowski, Councilmember Hammer

WHEREAS, the children of our community are entitled to the fun and excitement associated with "Halloween Night", including going from door-to-door in their immediate neighborhoods with their happy challenges of trick-or-treat; AND

WHEREAS, it would appear that parents generally favor the early evening hours, since it tends to limit participation to the younger children, for whom the observance was originally intended and thereby discourages interference and disruption by the very small percentage of older children, who under cover of darkness and with their identities concealed and costumes, might otherwise spoil the fun for the smaller children, NOW, THEREFORE, BE IT

RESOLVED, that Tuesday, October 31, 2017 shall be known as "Halloween Night" in the Town of Cheektowaga, and that the Town Board ask both children and their parents to cooperate in limiting the time of "trick-or-treating" activities to the period between 6:00 P.M. and 8:00 P.M. We further ask that, whenever possible, parents of the very young insure that they or other responsible adults accompany them, and to cooperate in making this a happy occasion for all youngsters by keeping their porch or exterior lights on.



"DESIGNATION OF HALLOWEEN NIGHT"

BE IT RESOLVED, that Tuesday, October 31, 2017 be designated as "HALLOWEEN NIGHT" in the Town of Cheektowaga.

The time of "trick-or-treating" activities will be between 6:00 P.M. and 8:00 P.M.

We encourage all householders to cooperate in making this a happy occasion for all youngsters by keeping their porch or exterior lights on.

HAPPY HALLOWEEN TO ALL!

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

Vickie L. Dankowski, Town Clerk



6. RESOLUTION 2017-568

Call for Public Hearing - 2018 Preliminary Ad Valorem Budget

Sponsored By: Supervisor Benczkowski, Councilmember Hammer

RESOLVED, that this Town Board does hereby prepare and approve as the Preliminary Ad Valorem Budget of this Town for the Fiscal Year beginning on the 1st day of January, 2018, the itemized statement of estimated revenues and expenditures, and also an itemized statement of estimated revenues and expenditures of the Lighting Districts and Consolidated Garbage District, AND, BE IT FURTHER

RESOLVED, that such Preliminary Ad Valorem Budget and the Lighting Districts and Consolidated Garbage District Budgets shall be filed in the Office of the Town Clerk where it shall be available for inspection by any interested person at all reasonable hours, effective October 2, 2017, AND, BE IT FURTHER

RESOLVED, that this Town Board shall meet at 7:00 P.M. on the 24th day of October, 2017, for the purpose of holding a Public Hearing upon such Preliminary Ad Valorem Budget and the Lighting Districts and Consolidated Garbage District budgets, AND, BE IT FURTHER

RESOLVED, that the Town Clerk give Notice of such Public Hearing in the manner provided in Section 108 of the Town Law and that such Notice be published in the CHEEKTOWAGA BEE, the official Town newspaper on October 12, 2017, and post same on the signboard maintained by the Town Clerk.



LEGAL NOTICE

of

PUBLIC HEARING

on

PRELIMINARY AD VALOREM BUDGET

and

LIGHTING DISTRICTS and CONSOLIDATED GARBAGE DISTRICT BUDGETS

NOTICE IS HEREBY GIVEN that the Preliminary Ad Valorem Budget of the Town of Cheektowaga and the Lighting Districts and Consolidated Garbage District Budgets for the Fiscal Year beginning January 1, 2018, has been completed and filed in the Office of the Town Clerk at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York where it

is available for inspection by any interested person at all reasonable hours, effective October 2, 2017.

FURTHER NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga will meet and review said Preliminary Ad Valorem Budget and the Lighting Districts and Consolidated Garbage District Budgets and hold a Public Hearing thereon at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York at 7:00 P.M. on the 24th day of October, 2017 and that at such hearing any person may be heard in favor or against the Preliminary Ad Valorem Budget and the Lighting Districts and Consolidated Garbage District Budget as compiled for or against any item therein contained.

Pursuant to Section 108 of the Town Law, the proposed salaries of the Town Officers are hereby specified as follows:

SUPERVISOR	\$79,140
TOWN CLERK	\$80,960
HIGHWAY SUPERINTENDENT	\$83,790
COUNCILMEMBER(6)	\$20,680
TOWN JUSTICE(2)	\$74,960

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

VICKIE DANKOWSKI,
TOWN CLERK

Dated: October 10, 2017
Published: October 12, 2017



7. RESOLUTION 2017-569

Call for Public Hearing - 2018 Benefit Basis Budget

Sponsored By: Supervisor Benczkowski, Councilmember Hammer

WHEREAS, this Town Board has prepared detailed estimates of the anticipated 2018 revenues and expenditures for every district in which the expenses of the improvement are to be assessed on a benefit basis, AND

WHEREAS, this Town Board has assessed the Special District costs on a benefit basis against the lots or parcels of land against which the improvement was chargeable, AND

WHEREAS, this Town Board had prepared an assessment roll for each district describing each lot of land in the district, the owner thereof, and the assessment levied against it, AND

WHEREAS, this Town Board has filed such estimates and assessment rolls with the Town Clerk, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board shall meet at 7:00 P.M. on the 24th day of October, 2017 for the purpose of holding a Public Hearing upon such estimates and assessment rolls, AND, BE IT FURTHER

RESOLVED, that the Town Clerk give notice of such Public Hearing in the manner provided in Section 239 of the Town Law, and that such notice be published in substantially the following form in the CHEEKTOWAGA BEE, the official Town newspaper on October 12, 2017.



PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, New York has completed its Estimates and Assessment Rolls relating to Special Districts spreading costs on a Benefit Basis and has filed same with the Town Clerk.

NOTICE IS ALSO GIVEN that a public hearing on such Estimates and Assessment Rolls will be held on Tuesday, October 24, 2017 at 7:00 P.M. at the Town Hall, corner of Broadway and Union Roads, at which time the Town Board will meet to hear and consider any objections which shall be made to such Estimates and Assessment Rolls.

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

Vickie Dankowski, Town Clerk

Dated: October 10, 2017
Published: October 12, 2017



8. RESOLUTION 2017-570

Call for Public Hearing - Rezoning Request 5 French Road

Sponsored By: Councilmember Rogowski, Supervisor Benczkowski

WHEREAS, Andrew J. Moquin has made application with the permission of the land owner and requested the rezoning of 5 French Road from CM - General Commercial to MS-Motor Service District to permit the demolition of an existing vacant motor vehicle repair garage and the construction of a new 7,200 s.f. repair automobile collision repair facility, NOW, THEREFORE BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Law on October 24, 2017 at 7:00 P.M., at the Cheektowaga Town Hall, 3301 Broadway at the corner of Union Road.



Notice of Public Hearing

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, 3301 Broadway corner of Union Road on the 24th day of October, 2017 at 7:00 P.M., of said day for the purpose of considering the application of:

5 French Road/ Macco

For the rezoning of 5 French from CM - General Commercial to MS- Motor Service District to permit the demolition of an existing vacant motor vehicle repair garage and the construction of a new 7,200 s.f. repair automobile collision repair facility . All parties in interest and citizens will be given an opportunity to be heard in regard to such proposed application.

BY ORDER OF THE TOWN BOARD, Town of Cheektowaga, NY

VICKIE L. DANKOWSKI,
TOWN CLERK



ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 114, Township 10, Range 7 of the Buffalo Creek Reservation described as follows:

Beginning at the intersection of the easterly right of way line of Union Road, Route 277, also known as state highway No. 1733 as presently laid out and the southeast right of way line of French Road as presently laid out and monumented with a 5/8 in rebar: thence northeasterly at an interior angle of 126 degrees 01' 56" a distance of 283 feet to 5/8 inch rebar: thence

southwesterly at an interior angle of 49 degrees 27' 45", a distance of 283 feet to a 5/8 inch diameter rebar: thence southwesterly at an interior angle of 134 degrees 03' 35", a distance of 226 feet to a 5/8 inch diameter rebar: thence southwesterly at an interior angle of 151 degree 45' 30", a distance of 35.80 feet to a 5/8 inch diameter rebar: thence northeasterly at an interior angle of 78 degrees 41' 14", a distance of 232 feet to a 5/8 inch rebar, also being the point of the beginning.



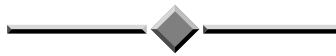
9. RESOLUTION 2017-571

Call for Public Hearing - Rezoning Request 3600, 3622 and 3624 Genesee Street

Sponsored By: Councilmember Rogowski, Supervisor Benczkowski

WHEREAS, 3600 Genesee, LLC has made application and requested the rezoning of 3600, 3622, and 3624 Genesee Street, as well as SBL Nos. 91.16-2-53.12 & 91.16-2-59.12 from CM - General Commercial to MS- Motor Service District to permit a parking area expansion for vehicle inventory storage/exterior vehicle display and to place an existing lawful non conforming new motor vehicle sales dealership (Keller Chevrolet) within the appropriate zoning district, NOW, THEREFORE BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Law on October 24, 2017 at 7:00 P.M., at the Cheektowaga Town Hall, 3301 Broadway at the corner of Union Road.



Notice of Public Hearing

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, 3301 Broadway corner of Union Road on the 24th day of October, 2017 at 7:00 P.M., of said day for the purpose of considering the application of:

3600 Genesee, LLC/ Keller Chevrolet

For the rezoning of 3600, 3622, and 3624 Genesee Street, as well as SBL Nos. 91.16-2-53.12 & 91.16-2-59.12 from CM - General Commercial to MS- Motor Service District to permit a parking area expansion for vehicle inventory storage/exterior vehicle display and to place an existing lawful non conforming new motor vehicle sales dealership (Keller Chevrolet) within the appropriate zoning district . All parties in interest and citizens will be given an opportunity to be heard in regard to such proposed application.

BY ORDER OF THE TOWN BOARD, Town of Cheektowaga, NY

VICKIE L. DANKOWSKI
TOWN CLERK



ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 13, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at the point of intersection of the northerly line of Genesee Street, being the northerly line of lands acquired by the New York State Department of Transportation by Map 60, Parcel 63, and the westerly line of lands conveyed to 3600 Genesee LLC by deed recorded in the Erie County Clerk's Office in Liber 11205 of deeds at page 4632; thence northerly along the west line of lands so conveyed by Liber 11205, page 4632 a distance of 329.88 feet to a point; thence westerly at right angles a distance of 174.93 feet to the east line of Union Road; thence northerly along the east line of Union Road a distance of 40.0 feet to the south line of lands excepted from Liber 11205, page 4632; thence easterly along the southerly line of lands excepted from Liber 11205, page 4632 a distance of 181.49 feet to the southeast corner thereof; thence northerly along the easterly line of lands excepted from Liber 11205, page 4632 a distance of 100.00 feet to a point in the north line of lands conveyed by Liber 11205, page 4632; thence easterly along said north line a distance of 326.10 feet to the southwest corner of lands conveyed to 3600 Genesee LLC by deed recorded in the Erie County Clerk's Office in Liber 11309 of deeds at page 2216; thence northerly along the west line of Liber 11309, page 2216 a distance of 215.67 feet to the south line of Leo Place as shown on Cover No. 1094 (50 feet wide); thence easterly along the south line of Leo Place a distance of 202.12 feet to the west line of Map Covers 545 and 1094; thence southerly along the west line of Map Covers 545 and 1094 a distance of 389.12 feet to the northwest corner of Subdivision Lot Number One in Block "B" of Map Cover 545, thence easterly along the north line of said Subdivision Lot Number One a distance of 29.60 feet to the northeast corner thereof; thence southerly along the east line of Subdivision Lot Number One a distance of 85.73 feet to a point; thence easterly at right angles a distance of 12.00 feet to a point; thence southerly at right angles a distance of 73.49 feet to the northerly line of Genesee Street, being the northerly line of Lands Acquired by the New York State Department of Transportation by Map 239, Parcel 276; thence westerly along the northerly line of Genesee Street along the northerly line of lands acquired by the New York State Department of Transportation by Map 239, Parcel 276 and Map 237, Parcel 274 and Map 235, Parcel 272 a distance of 57.16 feet to the northerly line of lands Acquired by the New York State Department of Transportation by Map 59, Parcel 62; thence continuing westerly along the northerly line of Genesee Street and the northerly line of Map 59, Parcel 62 a distance of 57.33 feet to an angle point therein; thence continuing westerly along the northerly line of Genesee Street and the northerly line of lands acquired by the New York State Department of Transportation by Map 59, Parcel 62 and Map 60, Parcel 63 a distance of 479.78 feet to the point of beginning.



10. RESOLUTION 2017-572

Issue Notice of Request for Proposals for the Furnishing of Pre-Hospital Emergency Services

Sponsored By: Councilmember Adamczyk, Councilmember Magierski

WHEREAS, the Town's Agreement for Pre-Hospital Emergency Services expires on December 31, 2017, and this Board needs to issue a Request for Proposals for a new agreement, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk is hereby directed to publish a Notice of Request for Proposals for the Furnishing of Pre-Hospital Services to the Town of Cheektowaga for the Years 2018 through 2020 (with one (1) extension of one (1) year), said notice to be published in the CHEEKTOWAGA BEE; and BE IT FURTHER

RESOLVED, that sealed proposals will be received by the Town Clerk of the Town of Cheektowaga on the 25th day of October, 2017 at 11:00 a.m., at her office in said Town Hall.

Proposals shall be submitted in triplicate in a sealed envelope plainly marked on the outside "Proposal for Pre-Hospital Emergency Services" and submitted to the Town Clerk prior to bid opening.

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

The Town Board reserves the right to consider informal any proposal 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, make an award to any company it determines to 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.

Vickie L. Dankowski, Town Clerk

DATED: October 10, 2017



NOTICE OF REQUEST FOR PROPOSALS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on Wednesday, October 25, 2017 at 11:00 A.M. at the Town Hall, corner of Broadway and Union Roads, for the furnishing of Pre-Hospital Emergency Services to the Town of Cheektowaga for the term of three years covering the period of January 1, 2018 to December 31, 2020, with one (1) extension of one (1) year.

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

Town Hall.

Proposals shall be submitted in a sealed envelope plainly marked on the outside "Proposal for Pre-Hospital Emergency Services" and submitted to the Town Clerk prior to bid opening.

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

The Town Board reserves the right to consider informal any proposal 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, make an award to any company it determines to be in the best interest of the Town, or reject any and all bids.

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

VICKIE L. DANKOWSKI, Town Clerk

DATED: October 10, 2017



11. RESOLUTION 2017-573

Call for Creation of a Vacant and Abandoned Properties Task Force

Sponsored By: Councilmember Hammer, Supervisor Benczkowski

WHEREAS, by commitment of the letter dated October 18, 2016 from Local Initiatives Support Corporation (LISC) to the Town of Cheektowaga for a \$250,000.00 grant for the zombie and vacant properties remediation and prevention initiatives, the Town of Cheektowaga is required to establish a vacant and abandoned properties task force, and

WHEREAS, the members of the vacant and abandoned properties task force will include the Supervising Code Enforcement Official, Town Board members, the Town Housing and Neighborhood Preservation Office, the Town Community Development Office, and representatives from Belmont Housing Resources, Western New York Law Center, State Senator Tim Kennedy's Office, State Assembly Member Monica Wallace's Office, and community/tax payer associations, and

WHEREAS, this Board wishes to establish a vacant and abandoned properties task force, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Cheektowaga hereby requests that Community and Economic Development Director Richard J. Willis chair and assemble a committee for the purpose of making recommendations to significantly reduce vacant, abandoned and "zombie" properties throughout the Town of Cheektowaga.



12. RESOLUTION 2017-574

Retain Outside Legal Counsel For Municipal Law Matters

Sponsored By: Councilmember Hammer, Supervisor Benczkowski

WHEREAS, periodically, the Town of Cheektowaga requires the services of outside legal counsel to assist and/or represent the Town with regard to various legal matters as they pertain to Municipal Law, AND

WHEREAS, moneys have been budgeted by the Town for this purpose, AND

WHEREAS, Joseph G. Makowski, Esq., on behalf of the firm Law Office of Joseph G. Makowski, has submitted an engagement letter to the Town of Cheektowaga to provide these services to the Town and has the necessary expertise in this area, NOW, THEREFORE, BE IT

RESOLVED, that the Law Office of Joseph G. Makowski be and hereby is retained as outside counsel to assist the Town of Cheektowaga on an as-needed basis with respect to matters of Municipal Law, pursuant to its engagement letter dated September 7, 2017, AND, BE IT FURTHER

RESOLVED, that payments for said outside counsel shall be appropriated from budget line item number 100.1420.4501, AND, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute said engagement letter, subject to approval of the Town Attorney.



13. RESOLUTION 2017-575

Authorize Supervisor to Execute Municipal Cooperation Agreement for the Sharing of Attorneys to Defend Assessment Challenges

Sponsored By: Councilmember Magierski, Councilmember Hammer

WHEREAS, the Assessor of the Town of Cheektowaga has authority to assess certain real property located within the boundaries of the Town of Cheektowaga, including the Villages of Sloan and Depew, for real property tax purposes, and

WHEREAS, the SCHOOL DISTRICT obtains tax revenue from properties located within the SCHOOL DISTRICT boundaries, which boundaries are contained within the Town of Cheektowaga, and

WHEREAS, owners of properties located in the SCHOOL DISTRICT boundaries may make legal challenges to the assessment of their properties, and

WHEREAS, the TOWN and SCHOOL DISTRICT retain attorneys to defend the SCHOOL DISTRICT and the TOWN on these assessment challenges, and

WHEREAS, the TOWN and SCHOOL DISTRICT (collectively referred to as the "Parties") wish to enter into a municipal cooperation agreement to share legal services relating to defending assessment challenges to properties within the SCHOOL DISTRICT boundaries, and

WHEREAS, the Agreement between both parties has been prepared to accomplish this, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the aforementioned Agreement between the Town of Cheektowaga and the Cleveland Hill Union Free School District through June 30, 2018 subject to approval by the Town Attorney.



14. RESOLUTION 2017-576

Authorize Supervisor to Sign Contracts for Concerts and Special Events

Sponsored By: Councilmember Kaminski, Councilmember Rogowski

BE IT RESOLVED that subject to approval by the Town Attorney, the Supervisor be and hereby is authorized to sign contracts between the Town of Cheektowaga, performers, sponsors and recurring vendors for concerts and special events to be held during the year 2018.

FUNDING SOURCE:

0100-7140-4503

0100-7140-4491

0100-7620-4491

0100-7620-4685

0100-7550-4374



15. RESOLUTION 2017-577

Authorize Supervisor to Sign Dasherboard Contracts

Sponsored By: Councilmember Kaminski, Councilmember Rogowski

BE IT RESOLVED that subject to approval by the Town Attorney, Supervisor Diane Benczkowski be and hereby is authorized to sign contracts between the Town of Cheektowaga, businesses and/or organizations for dasherboard advertising and ice rentals at the Town Recreation Center during the 2017-2018 season.

FUNDING SOURCE: 0100.7140.4521

REVENUE SOURCE 0100.7140.2128
0100.0882



16. RESOLUTION 2017-578

Authorize Supervisor to Execute Agreement with National Grid to Attach Holiday Decorations to Electrical Poles

Sponsored By: Councilmember Kaminski, Councilmember Rogowski

WHEREAS, during the holiday season, the Town of Cheektowaga usually attaches decorations to electrical poles throughout the town; and

WHEREAS, National Grid is the owner of electrical poles in a portion of the Town of Cheektowaga; and

WHEREAS, National Grid has notified the Town of Cheektowaga that, if we decide to attach decorations to National Grid's poles, the Town needs to execute an agreement with National Grid; and

WHEREAS, the Town is interested in attaching holiday decorations to National Grid's electrical poles; NOW, THEREFORE, BE IT

RESOLVED, that subject to approval by the Town Attorney, the Supervisor be and hereby is authorized and directed to execute an agreement with National Grid and any other documents necessary to permit the Town to attach holiday decorations to the electrical poles of National Grid.



17. RESOLUTION 2017-579

Authorize Supervisor, Director of Administration and Finance and Grantmakers Advantage, Inc. to Execute Grant Application

Sponsored By: Supervisor Benczkowski, Councilmember Hammer

WHEREAS, grant funds in the amount of \$5,000 have been made available to the Town of Cheektowaga via State Assemblywoman Monica Wallace through the New York State Office of Children and Family Services, and

WHEREAS, said funding is intended to be used toward expenses associated with the Town's Fourth of July Weekend Festivities including the "Freedom Fest" concert, Fourth of July parade, and activities held throughout the weekend at Cheektowaga Town Park, NOW
THEREFORE BE IT

RESOLVED, that Grantmakers Advantage, Inc., the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the New York State Office of Children and Family Services and BE IT FURTHER

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



18. RESOLUTION 2017-580

Request Erie County to Levy Omitted Taxes Against Properties in the Town

Sponsored By: Councilmember Magierski, Councilmember Hammer

WHEREAS, in any given year, when the owners of properties fail or refuse to maintain their properties, the Town of Cheektowaga must maintain or demolish the properties, AND

WHEREAS, if the owners of these properties refuse to reimburse the Town for expenses incurred by the Town for landlord fines and the maintenance or demolition of said properties, the Town must place special assessments against these properties, AND

WHEREAS, pursuant to the Town Law of the State of New York, the Town must notify the County of Erie of these special assessments which are considered omitted taxes under the law, AND

WHEREAS, in **2017**, the Town maintained and demolished various properties in the Town and the expenses for same were not paid by the respective property owners, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby requests the Erie County Legislature to levy the sum of **\$333,642.77** against the applicable properties, AND BE IT FURTHER

RESOLVED, that the Assessor is hereby directed to deliver to the County of Erie her master computer assessment roll file, AND BE IT FURTHER

RESOLVED, that the Town Supervisor be and hereby is authorized and directed to execute a Letter of Authorization to the Erie County Real Property Tax Department to enforce the various unpaid accounts/omitted taxes mentioned above.



19. RESOLUTION 2017-581

Authorize Supervisor to Execute Letter of Intent to Empire State Development Corporation Regarding the Revitalization of 3600 Harlem Road

Sponsored By: Councilmember Hammer, Supervisor Benczkowski

WHEREAS, the Town of Cheektowaga is interested in the revitalization of property located at 3600 Harlem Road as a means of creating economic stimulus in the Harlem Road area, and

WHEREAS, funding is available to municipalities through the Empire State Development Corporation for the RESTORE NY grant program to revitalize properties, and

WHEREAS, the Town must submit a Letter of Intent to indicate interest in applying for funding through the RESTORE NY grant program, NOW, THEREFORE BE IT

RESOLVED, that the Supervisor is hereby authorized to execute a Letter of Intent to the Empire State Development Corporation indicating the Town's intention to submit a full application for 3600 Harlem Road to the RESTORE NY grant Program.



20. RESOLUTION 2017-582

Authorize Supervisor to Execute Letter Of Intent to Empire State Development Corporation Regarding the Revitalization of the Pine Ridge Neighborhood

Sponsored By: Councilmember Hammer, Supervisor Benczkowski

WHEREAS, the Town of Cheektowaga is interested in revitalizing neighborhoods as a means of creating economic stimulus and stabilizing the Town's housing stock, and

WHEREAS, within the Pine-Ridge neighborhood, properties located at 112 Hoerner Avenue and 134 Woodell Avenue are in need of demolition and reconstruction, and

WHEREAS, funding is available to municipalities through the Empire State Development Corporation for the RESTORE NY grant program to revitalize properties, and

WHEREAS, the Town must submit a Letter of Intent to indicate interest in applying for funding through the RESTORE NY grant program, NOW, THEREFORE BE IT

RESOLVED, that the Supervisor is hereby authorized to execute a Letter of Intent to the Empire State Development Corporation indicating the Town's intention to submit a full application for revitalization of the Pine-Ridge neighborhood, including 112 Hoerner Avenue and 134 Woodell Avenue, to the RESTORE NY grant Program.



21. RESOLUTION 2017-583

Youth & Recreation Terminations

Sponsored By: Councilmember Kaminski, Councilmember Rogowski

BE IT RESOLVED that the individuals listed below be and hereby are terminated in the Department of Youth & Recreational Services, effective as indicated:

Glenn A. Au	3/27/15	14225
James Chmurzynski	8/14/17	14225
Austin Dzimian	8/17/17	14225
Andrew Evenhouse	Never worked	14225
Kellie Kaminski	8/16/17	14043
Elizabeth Meyerhofer	9/25/17	14225



22. RESOLUTION 2017-584

Youth & Recreation Transfer

Sponsored By: Councilmember Kaminski, Councilmember Rogowski

BE IT RESOLVED that the following individuals be transferred effective immediately:

From Laborer - Seasonal to Recreation Aide - 7140.1611- Part-time - \$9.70
Jason Leonarczyk



23. RESOLUTION 2017-585

Youth & Recreation Hiring

Sponsored By: Councilmember Kaminski, Councilmember Rogowski

BE IT RESOLVED that the individuals listed below be and hereby are hired, as indicated, in the Department of Youth & Recreational Services, effective immediately:

Recreation Aide - 7140.1611 - \$9.70 - Part-time
Alec Zimmerman 14225



24. RESOLUTION 2017-586

Hiring/Termination of Part-Time/Seasonal Employees

Sponsored By: Supervisor Benczkowski, Councilmember Hammer

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

FACILITIES DEPARTMENT Laborer \$9.70/hour effective 9/11/2017
Jordan Pocobello, Cheektowaga, New York

SANITATION DEPARTMENT Laborer \$9.70/hour effective 10/11/17
Paul A. Nazzarett III, Cheektowaga, New York
Jonathan W. Robinson, Cheektowaga, New York

BE IT RESOLVED, that the following individual be and hereby is hired as a **SEASONAL EMPLOYEE**, not to exceed five (5) months in a calendar year, in the department listed and in compliance with Civil Service Laws and Regulations as well as the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

SANITATION DEPARTMENT Laborer \$9.70/hour effective 10/11/17
Ronald R. Sobocinski, Cheektowaga, New York

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

SEWER DEPARTMENT
Paul Nazzarett III effective 9/30/17

FACILITIES DEPARTMENT - PARKS DIVISION
Alex Kluck effective 8/31/17
Mark Stucke effective 9/25/17
Alexander Roehre effective 9/25/17



25. RESOLUTION 2017-587

Appointment of Park Maintenance Worker I (Labor/Temporary) Facilities Department/Aaron Hausberger

Sponsored By: Supervisor Benczkowski, Councilmember Hammer

WHEREAS, a temporary Park Maintenance Worker I position exists in the Facilities Department (Parks Division); AND

WHEREAS, Aaron T. Hausberger, currently employed as a Maintenance Worker in the Facilities Department, bid on said vacancy and meets the necessary qualifications for appointment; NOW, THEREFORE, BE IT

RESOLVED, that Aaron T. Hausberger of Cheektowaga, New York be and hereby is appointed to the temporary position of Park Maintenance Worker I in the Facilities Department (Parks Division) in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective October 6, 2017.



26. RESOLUTION 2017-588

Appointment of Maintenance Worker (Non-Competitive/Temporary) Facilities Department/Jordan Pocobello

Sponsored By: Supervisor Benczkowski, Councilmember Hammer

WHEREAS, a temporary Maintenance Worker position exists 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, no bargaining unit member bid on the vacancy; AND

WHEREAS, Jordan Pocobello, currently employed as a part-time Laborer in the Facilities Department, applied for said vacancy and meets the necessary qualifications; NOW, THEREFORE, BE IT

RESOLVED, that Jordan Pocobello of Cheektowaga, New York be and hereby is appointed to the temporary position of Maintenance Worker 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 October 6, 2017 until November 5, 2017.

X. Suspension of Rules



1. RESOLUTION 2017-589

Authorization of Student Interns

Sponsored By: Councilmember Adamczyk, Councilmember Hammer

WHEREAS, Shannon Petrinec, a student at Hilbert College, Kelsi Sajdak, a student at Hilbert College, and Melissa Shaw, a student at Bryant and Stratton College, have requested to participate in the student internship program at the Police Department; AND

WHEREAS, these individuals have been interviewed by the Police Department and the Police Department is willing to afford them the opportunity to intern in the Police Department; NOW, THEREFORE, BE IT

RESOLVED, that Shannon Petrinec of Attica, New York, Kelsi Sajdak of Cheektowaga, New York, and Melissa Shaw of Cheektowaga, New York, be and hereby are authorized to participate as unpaid interns in the Police Department, subject to their execution of a Waiver of Liability and Agreement of Confidentiality; AND, BE IT FURTHER

RESOLVED, that these internships be and hereby are effective October 10, 2017, through December 31, 2017; AND, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the Agreement of Confidentiality, and all other documents necessary to effectuate these student internships in the Police Department.

XI. Communications

A. Departmental Communications

B. General Communications

1. Notice of Claim: Maya Thompson vs. Town of Cheektowaga
2. Summons & Complaint: Charles D. Alexis vs. Town of Cheektowaga
3. Summons & Complaint: Bank of America, N.A. vs. Clara K. Brandner, Town of Cheektowaga, Etal Premises: 3 Joseph Street
4. Summons & Complaint: Wells Fargo Bank, N.A. vs. Daniel A. Dombkiewicz, Jennifer L. Dombkiewicz, Town of Cheektowaga, Etal Premises: 38 Jane Drive

XII. Comments

A. Supervisor's Comments

B. Councilmember's Comments

C. Public Comments

Pursuant to Town Policy adopted April 18, 1994, this is an opportunity for residents to comment on matters involving Cheektowaga other than those pertinent to Public Hearings that day. The public comment period should last 15 minutes maximum. Each speaker may speak only once. Each speaker shall be limited to a maximum of 3 minutes speaking time.

XIII. Adjournment