



Town of Cheektowaga

Regular Meeting

~ Agenda ~

Cheektowaga, NY 14227

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

Vickie L. Dankowski
716-686-3434

Tuesday, November 28, 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 November 28, 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. RESTORE New York Communities Initiative Municipal Grant Application

IX. Resolutions



1. RESOLUTION 2017-650

Transfer of Funds

Sponsored By: Supervisor Benczkowski, Councilmember Adamczyk

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

| | | | |
|-------|---------------|--------------------------------|----------|
| FROM: | 100.1440.4191 | Miscellaneous Expense | \$166.00 |
| TO: | 100.1440.4088 | Travel, Training & Conferences | \$166.00 |



2. RESOLUTION 2017-651

Warrant

Sponsored By: Supervisor Benczkowski, Councilmember Adamczyk

BE IT RESOLVED, that the following Vouchers & Warrants submitted to the Town of Cheektowaga prior to November 28, 2017 are hereby approved and made part hereof;

| | |
|---------------------------------|----------------|
| GENERAL FUND | \$240,694.77 |
| RISK RETENTION FUND | 32,651.93 |
| NYS HOME PROGRAM | 0.00 |
| DEBT | 0.00 |
| HUD HOUSING REHABILITATION FUND | 4,226.00 |
| SPECIAL DISTRICTS FUND | 393,224.99 |
| HIGHWAY FUND | 43,779.78 |
| CAPITAL FUND | 857,222.68 |
| TRUST & AGENCY FUND | 7,973.76 |
| HUD CDBG FUND | 29,728.60 |
| PART TOWN FUND | 2,694.00 |
| NYS AFFORDABLE HOUSING | 0.00 |
| | <hr/> |
| | \$1,612,196.51 |



3. RESOLUTION 2017-652

Adopt Amendments to Vehicles and Traffic Law

Sponsored By: Councilmember Adamczyk, Councilmember Hammer

WHEREAS, this Town Board held a public hearing on November 14, 2017 to consider the advisability of adopting proposed amendments to Chapter 235 of the Code of the Town of Cheektowaga (Vehicle and Traffic), said hearing being held in accordance with Notice thereof which was duly published as required by law, at which hearing an opportunity to be heard was afforded all persons interested in the subject thereof,

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1:

That this Town Board determines it is in the public interest to adopt the following amendments to Chapter 235 of the Code of the Town of Cheektowaga, County of Erie and State of New York, and said amendments are herewith adopted and enacted:

• **ARTICLE V - Schedules**

Schedule XA: Alternate Parking in Designated Locations, shall be amended by **adding** thereto the following streets or parts of streets:

WAGNER STREET - From the south curblineline of William Street to the north curblineline of Wagner Street (at the bend).

• **ARTICLE V - Schedules**

Schedule X: Parking Prohibited in Designated Locations, shall be amended by **deleting** thereto the following streets or parts of streets:

LOCHLAND DRIVE - East side: from the north curblineline of Huth Road to the south curblineline of Cleveland Drive.

WAGNER AVENUE - West side: from north curblineline of Bismarck Street to south curblineline of William Street.

• **ARTICLE V - Schedules**

Schedule X: Parking Prohibited in Designated Locations, shall be amended by **adding** thereto the following streets or parts of streets:

LOCHLAND DRIVE - West side: from the north curblineline of Huth Road to the south curblineline of Cleveland Drive.

Section 2. Time to Take Effect

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

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

Section 3. Territorial Application

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

Section 4. Publication

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



4. RESOLUTION 2017-653

Award of Bid - Pre-Hospital (Ambulance) Emergency Services

Sponsored By: Councilmember Adamczyk, Councilmember Magierski

WHEREAS, the Town's existing Agreement for Pre-Hospital Emergency Services (for ambulance services for emergencies when called into the Cheektowaga Dispatch Office) expires on December 31, 2017, and

WHEREAS, by resolution dated October 10, 2017, this Town Board requested proposals for a new agreement for Pre-Hospital Emergency Services, and

WHEREAS, a single proposal was duly received by this Town Board at a bid opening on October 25 2017 for pre-hospital emergency services, and said proposal was referred to the Emergency Medical Services Board for analysis, tabulation, and report; and

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

RESOLVED, that the bid be awarded to American Medical Response, 481 William Gaiter Parkway, Buffalo, New York, 14215, being the sole and only bidder meeting the requirements set forth in the Request for Proposal referred to herein, for the period January 1, 2018 to December 31, 2020, with one extension of (1) year on the same terms and conditions pending approval by the EMS Board and Town Board within six (6) months of contract expiration; and be it further

RESOLVED, that the Supervisor is hereby authorized to execute an agreement and any other documents that may be necessary for said services, subject to approval by the Town Attorney's Office.



5. RESOLUTION 2017-654

Change Order No. 1 – Cheektowaga Safe Crossings Project (the “Project”), P.I.N. 5761.10

Sponsored By: Supervisor Benczkowski, Councilmember Adamczyk

WHEREAS, by Resolution #2017-95, the Supervisor of the Town of Cheektowaga, subject to the approval of the Town Attorney, is authorized to execute all necessary agreements, certifications or reimbursement requests in connection with the advancement or approval of the Project, in accordance with Supplemental Agreement #1 (SA#1), approved by Resolution #2017-95, between the Town of Cheektowaga and the New York State Department of Transportation (NYSDOT), AND

WHEREAS, the Project in the amount of \$139,749.00, chargeable to Account #500-1440-4830-5429, AND

WHEREAS, in order to proceed with the Project, the Town Engineer and the Project Consultant, Watts A/E, have recommended the approval of Change Order No. 1, in the amount of \$2,841.39, to restore the traffic signal loop inductance to preconstruction operation, at the northeast corner of Cayuga Creek Road at South Henry Street, AND

WHEREAS, Change Order No. 1, in the amount of \$2,841.39, will be fully compensated by a contingency work item (#697.03 Field Change Payment) within the aforementioned contract with Millennium Construction, Inc., thereby, not affecting the original contract amount, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is authorized and directed to execute Change Order No. 1, on behalf of this Town Board, chargeable to Account #500-1440-4830-5429, AND, BE IT FURTHER

RESOLVED, that this Resolution shall take effect immediately.



6. RESOLUTION 2017-655

Change Order No. 2 – Cheektowaga Safe Crossings Project (the “Project”), P.I.N. 5761.10

Sponsored By: Supervisor Benczkowski, Councilmember Adamczyk

WHEREAS, by Resolution #2017-95, the Supervisor of the Town of Cheektowaga, subject to the approval of the Town Attorney, is authorized to execute all necessary agreements, certifications or reimbursement requests in connection with the advancement or approval of the Project, in accordance with Supplemental Agreement #1 (SA#1), approved by Resolution #2017-95, between the Town of Cheektowaga and the New York State Department of Transportation (NYSDOT), AND

WHEREAS, by Resolution #2017-228, Millennium Construction, Inc. was awarded the contract for the Project in the amount of \$139,749.00, chargeable to Account #500-1440-4830-5429, AND

WHEREAS, the Town Engineer and the Project Consultant, Watts A/E, have recommended the approval of Change Order No. 2, in the amount of \$4,500.00, to install a concrete curb along the back edge of the new ADA ramp, located on William Street, opposite of Theodore Roosevelt Elementary, to correct the slope created between the existing lawn and new ADA ramp that was unforeseen during the design and construction, AND

WHEREAS, Change Order No. 2, in the amount of \$4,500.00, will be fully compensated by a contingency work item (#697.03 Field Change Payment) within the aforementioned contract with Millennium Construction, Inc., thereby, not affecting the original contract amount, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is authorized and directed to execute Change Order No. 2, on behalf of this Town Board, chargeable to Account #500-1440-4830-5429, AND, BE IT FURTHER

RESOLVED, that this Resolution shall take effect immediately.



7. RESOLUTION 2017-656

Call for a Public Hearing Local Law Intro No. 2017-9 of the Year 2017 - A Local Law to Amend the Taxation Law (Cold War Veterans Exemption)

Sponsored By: Councilmember Magierski, Councilmember Hammer

WHEREAS, by resolution (Resolution No. 2009-287) dated June 1, 2009, Local Law No. 2 of the Year 2009 of the Town of Cheektowaga, entitled "A Local Law to Adopt a Tax Exemption for Veterans of the Cold War" was adopted, and

WHEREAS, the Town Board has recommended that the Taxation Law be amended:

1. to amend Section 220-26 E. to eliminate the maximum period of 10 years for the exemption and allow the exemption for as long as the veteran owns the qualifying property in accordance with amended s.458-b of the Real Property Tax Law of the State of New York, and

WHEREAS, a draft of such amendment has been prepared by the Town Law Department, NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held on the 12th day of December, 2017 at 7:00P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider the advisability of adopting "A Local Law to Amend the Taxation Law", and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to publish the attached Notice of Hearing in the Cheektowaga Bee, and BE IT FURTHER



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that, pursuant to the Municipal Home Rule Law of the State of New York, a Public Hearing will be held before the Town Board of the Town of Cheektowaga on the 12th day of December, 2017 at 7:00P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider and discuss and, if need be, act upon the proposed enactment of Local Law Intro No. 2017-9 of the Year 2017, entitled "A Local Law to Amend the Taxation Law". Following is a synopsis of the proposed Local Law Intro No. 2017-9:

Local Law Intro No. 2017-9

A Local Law to Amend the Taxation Law

Amend the following sections of the Taxation Law of the Town of Cheektowaga:

2. to amend Section 220-26 E. to eliminate the maximum period of 10 years for the exemption and allow the exemption for as long as the veteran owns the qualifying property in accordance with amended s.458-b of the Real Property Tax Law of the State of New York .

Dated: November 28, 2017

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

VICKIE L. DANKOWSKI, Town Clerk



8. RESOLUTION 2017-657

Negative SEQR Declaration - 2224,2228 & 2240 Old Union Road

Sponsored By: Councilmember Rogowski, Supervisor Benczkowski

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

WHEREAS, an application was submitted by DePaul Properties, Inc. for the rezoning of 2224, 2228 and 2240 Old Union Road from CF- Community Facilities to RA- Apartment District to allow for the construction of (2) two three story (40) forty unit apartment buildings and the construction of a (2) two story, 15 unit addition to an existing apartment building, 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, the Town of Cheektowaga Planning Board recommended approval of the rezoning and site plan at their meetings of September 14, 2017 , AND

WHEREAS, the Environmental Advisory Committee at its meetings held on October 25, 2017 recommended a determination of non-significance, AND

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

RESOLVED, that this Town Board determines that the project will not have a significant effect on the environment and therefore issues a Negative Declaration for purposes of the State Environmental Quality Review Act (SEQRA).



9. RESOLUTION 2017-658

Approval of Rezoning - 2224,2228 & 2240 Old Union Road

Sponsored By: Councilmember Rogowski, Supervisor Benczkowski

WHEREAS, an application was submitted by DePaul Properties, Inc. for the rezoning of 2224, 2228 and 2240 Old Union Road from CF- Community Facilities to RA- Apartment District to allow for the construction of (2) two three story (40) forty unit apartment buildings and the construction of a (2) two story, 15 unit addition to an existing apartment building, AND

WHEREAS, a public hearing on such petition was held before this Town Board on the 10th, day of October, 2017 at 7:00 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, the subject property is currently developed and utilized by Depaul Properties, Inc., a non profit organization that provides for special residential services, including memory care and mental health support, AND

WHEREAS, an existing Payment In Lieu of Tax Agreement (P.I.L.O.T.) is currently in effect for the existing premises, AND

WHEREAS, the applicant has agreed to re-negotiate the P.I.L.O.T. agreement with the Town, to offset any future cost of Town provided services as a result of the new project, 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 DePaul Properties, Inc. for the rezoning of 2224, 2228 and 2240 Old Union Road from CF- Community Facilities to RA- Apartment District as further described in the attached legal description is the same is hereby approved, and BE IT FURTHER

RESOLVED, that any future additions to the development or site plan must be resubmitted to the Town Board to determine whether the addition is substantially in agreement with the intent of this rezoning and site plan approval, and BE IT FURTHER

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



LEGAL DESCRIPTION

All that tract or parcel of land situate in the Town of Cheektowaga, County of Erie, State of New York, and is more particularly described as follows;

Beginning at a point on the northwesterly right-of-way line of Old Union Road, said point being the intersection formed by the said right-of-way of Old Union Road and the south line of Town Lot 88 and being further described as being the southeast corner of a parcel of land conveyed to DePaul Properties, Inc. in a deed filed in the Erie County Clerks' Office, Liber 10970 of Deeds, Page 8956,

thence, Northeasterly forming an interior angle of 133°32'02" along the northwest right-of-way line of Old Union Road a distance of 512.72 feet to a point, thence, Northwesterly forming an interior angle of 90°00'00" a distance of 192.06 feet to a point, thence, Westerly forming an interior angle of 136°24'35" a distance of 500.00 feet to a point, thence, Southerly forming an interior angle of 90°00'00" a distance of 87.79 feet to a point, thence, Southeasterly forming an interior angle of 117°37'55" a distance of 194.50 feet to a point, thence, Southerly forming an interior angle of 225°51'30" a distance of 105.50 feet to a point, thence, Southwesterly forming an interior angle of 240°06'00" a distance of 176.38 feet to a point, thence, Southerly making an interior angle of 136°27'58" a distance of 96.68 feet to a point, thence, Easterly making an interior angle of 90°00'00" a distance of 205.00 feet to the point and place of beginning.

Intending to describe a parcel of land situated on the northwesterly side of Old Union Road, containing 4.465± acres of land to the right-of-way, Town of Cheektowaga.



10. RESOLUTION 2017-659

Accept Site Plan- 2224,2228 & 2240 Old Union Road Depaul Properties, Inc.

Sponsored By: Councilmember Rogowski, Supervisor Benczkowski

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

WHEREAS, the Town Board, pursuant to section 260-47.1C of the Zoning Law of the Town of Cheektowaga is vested with the authority to approve site plans and modify or reject any recommendation submitted to it by its advisory committees, AND

WHEREAS, De Paul Properties, Inc. submitted a development review application and site plan to re-zone 2224, 2228 and 2240 Old Union Road from CF- Community Facilities to RA- Apartment District to allow for the construction of (2) two three story (40) forty unit apartment buildings and the construction of a (2) two story, 15 unit addition to an existing apartment building, AND

WHEREAS, the proposed project is a redevelopment of an existing multifamily assisted living facility /apartment complex operated by Depaul Properties, Inc., AND

WHEREAS, the project site plan required area variances for quantity of parking, size of lot and parking setbacks to newly created parcel lines, which have been approved by the Cheektowaga Zoning Board of Appeals, AND

WHEREAS, the Town of Cheektowaga Planning Board, reviewed and commented on the site plan application at their meeting of September 14, 2017 and have recommended its approval thereof, NOW THEREFORE BE IT,

RESOLVED, that pursuant to Section 260-47-1 of the Code of the Town of Cheektowaga and Section 274-a of New York State Town Law that this Town Board approves the proposed site plan subject to :

1. The Assistant Town Engineer reviewing/approving the civil plans for drainage and grading.
2. The Town Planner reviewing approving the final landscaping plan and photometric plan for exterior lighting.



11. RESOLUTION 2017-660

Notice to Bidders For Snow & Ice Removal from Various Privately-Owned Properties (Bid #2017-36)

Sponsored By: Councilmember Hammer, Supervisor Benczkowski

WHEREAS, the Neighborhood Preservation Office, a Division of Building and Plumbing Inspections Department, is responsible for inspecting various properties within the Town of Cheektowaga to ensure compliance with the Codes of New York State and Cheektowaga Town Law, and

WHEREAS, when violations are noted, property owners are notified to clean up their properties by removing hazardous snow and ice conditions on public sidewalks within the Town of Cheektowaga and

WHEREAS, the cleaning up of these public sidewalks includes snow and ice removal, and

WHEREAS, in the event property owners do not comply with clean up orders from the Housing & Neighborhood Preservation Office, public health and safety require that action be taken immediately, it is necessary that the Housing & Neighborhood Preservation Office retain a private contractor to perform the necessary public sidewalk snow and ice removal on the property, and

WHEREAS, consistent with the provisions of the International Property Maintenance Code as adopted by the State of New York and Section 70-8 of the Town Code, costs incurred by the Inspector in eliminating or removing nuisances and dangerous or unsafe conditions shall be paid for by the municipal fiscal officer out of the municipal treasury upon certification of the Inspector. Such costs shall be charged against the premises and shall constitute a lien thereon in favor of the municipality, and the amount of such costs shall be entered on the tax rolls as being due and payable, AND

WHEREAS, due to the projected annual cost for performing this work, it is in order that this Board advertise for bids for these services, and

WHEREAS, the Building and Plumbing Inspections Department, Neighborhood Preservation Office, and the Town Attorney's Office have drafted bid specifications for this purpose for January 1, 2018 through December 31, 2018, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for Furnishing Equipment and Operators for the Removal of Snow and Ice from Various Privately-Owned Properties (Bid# 2017-36) in the Town of Cheektowaga in the Cheektowaga Bee, and BE IT FURTHER

RESOLVED, that bids will be received until December 20, 2017 at 11:00 AM by the Town Clerk, who is hereby authorized and directed to publicly open all bids received at such time in the Council Chambers in the Cheektowaga Town Hall.



NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on December 20, 2017 at 11:00 AM., at the Town Hall, corner of Broadway and Union Roads, for Removal of Snow and Ice from Various Privately-Owned Properties (Bid# 2017-36) in the Town of Cheektowaga for January 1, 2018 through December 31, 2018, said services to include residential and commercial property snow and ice removal and is not intended to include town-owned properties, cemeteries or other excluded properties. Work will be done on an as-needed basis, as directed/requested by the Housing and Neighborhood Preservation Office.

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

Proposals shall be submitted in a sealed envelope plainly marked on the outside "Bid for Removal of Snow and Ice from Various Privately-Owned Properties in the Town of Cheektowaga for January 1, 2018 through December 31, 2018 (Bid #2017-36)" and submitted to the Town Clerk prior to bid opening.

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

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

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

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

Vickie L. Dankowski
Town Clerk

DATED: November 28, 2017



12. RESOLUTION 2017-661

Notice to Bidders For Snow & Ice Removal from Various Town-Owned Properties (Bid #2017-37)

Sponsored By: Councilmember Hammer, Supervisor Benczkowski

WHEREAS, the Neighborhood Preservation Office, a Division of Building and Plumbing Inspections Department, wishes to alleviate hazardous snow and ice conditions on sidewalks located on various properties owned or designated by the Town of Cheektowaga to ensure compliance with the Codes of New York State and Cheektowaga Town Law, and

WHEREAS, the cleaning up of these public sidewalks includes snow and ice removal, and

WHEREAS, the Housing & Neighborhood Preservation Office, and public health and safety require that action be taken immediately, it is necessary that the Housing & Neighborhood Preservation Office retain a private contractor to perform the necessary public sidewalk snow and ice removal on the property, and

WHEREAS, due to the projected annual cost for performing this work, it is in order that this Board advertise for bids for these services, and

WHEREAS, the Building and Plumbing Inspections Department, Neighborhood Preservation Office, and the Town Attorney's Office have drafted bid specifications for this purpose for January 1, 2018 through December 31, 2018, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for Furnishing Equipment and Operators for the Removal of Snow and Ice from Various Town-Owned Properties in the Town of Cheektowaga (Bid# 2017-37) in the Cheektowaga Bee, and BE IT FURTHER

RESOLVED, that bids will be received until December 20, 2017 at 11:00 AM by the Town Clerk, who is hereby authorized and directed to publicly open all bids received at such time in the Council Chambers in the Cheektowaga Town Hall.



NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on December 20, 2017 at 11:00 AM at the Town Hall, corner of Broadway and Union Roads, for Removal of Snow and Ice from Various Town-Owned Properties in the Town of Cheektowaga for January 1, 2018 through December 31, 2018 (Bid #2017-37), said services to include twelve (12) town-owned properties, with a total of approximately 1062 lineal feet of public sidewalk. Work will be done on an as-needed basis, based on snow conditions. Specifically, as directed/requested by the Office of Housing and Neighborhood Preservation.

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

Proposals shall be submitted in a sealed envelope plainly marked on the outside "Bid for Removal of Snow and Ice from Various Town-Owned Properties in the Town of Cheektowaga for January 1, 2018 through December 31, 2018 (Bid #2017-37)" and submitted to the Town Clerk prior to bid opening.

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

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

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

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

Vickie L. Dankowski
Town Clerk

DATED: November 28, 2017



13. RESOLUTION 2017-662

Notice to Bidders For Grass Cutting Town-Owned Properties (Bid #2017-38)

Sponsored By: Councilmember Hammer, Supervisor Benczkowski

WHEREAS, the Neighborhood Preservation Office, a Division of Building and Plumbing Inspections Department, wishes to continue the upkeep of certain Town owned properties within the Town of Cheektowaga to ensure compliance with the Codes of New York State and Cheektowaga Town Law, and

WHEREAS, the cleaning up of these properties includes the cutting and removal of grass, weeds, brush, or plant growth in the excess of six (6) inches in height and to remove all accumulations of debris, etc., and

WHEREAS, the Housing & Neighborhood Preservation Office, and public health and safety require that action be taken immediately, it is necessary that the Housing & Neighborhood Preservation Office retain a private contractor to perform the necessary grass cutting and landscaping services on the property, and

WHEREAS, due to the projected annual cost for performing this work, it is in order that this Board advertise for bids for these services, and

WHEREAS, the Building and Plumbing Inspections Department, Neighborhood Preservation Office, and the Town Attorney's Office have drafted bid specifications for this purpose for January 1, 2018 through December 31, 2018, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for Furnishing Equipment and Operators for Grass Cutting and Related Landscaping Services for Various Town-Owned Properties in the Town of Cheektowaga (Bid# 2017-38) in the Cheektowaga Bee, and BE IT FURTHER

RESOLVED, that bids will be received until December 20, 2017 at 11:00 AM by the Town Clerk, who is hereby authorized and directed to publicly open all bids received at such time in the Council Chambers in the Cheektowaga Town Hall.



NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on December 20, 2017 at 11:00 AM at the Town Hall, corner of Broadway and Union Roads, for Grass Cutting and Related Landscaping Services for Various Town-Owned Properties in the Town of Cheektowaga for January 1, 2018 through December 31, 2018 (Bid #2017-38), said services to include twelve (12) town-owned properties. Work will be done on an as-needed basis, based on property conditions. Specifically, as directed/requested by the Office of Housing and Neighborhood Preservation.

Information for bidders and specifications may be obtained from the Town Clerk at her

office in said Town Hall.

Proposals shall be submitted in a sealed envelope plainly marked on the outside "Bid for Grass Cutting and Related Landscaping Services for Various Town-Owned Properties in the Town of Cheektowaga for January 1, 2018 through December 31, 2018 (Bid #2017-38)" and submitted to the Town Clerk prior to bid opening.

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

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

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

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

Vickie L. Dankowski
Town Clerk

DATED: November 28, 2017



14. RESOLUTION 2017-663

Notice to Bidders For Grass Cutting on Various Vacant & Unmaintained Properties (Bid #2017- 39)

Sponsored By: Councilmember Hammer, Supervisor Benczkowski

WHEREAS, the Neighborhood Preservation Office, a Division of Building and Plumbing Inspections Department, is responsible for inspecting various properties within the Town of Cheektowaga to ensure compliance with the Codes of New York State and Cheektowaga Town Law, and

WHEREAS, when violations are noted, property owners are notified to clean up their properties by the cutting and removing of grass, weeds, brush or plant growth in excess of six (6) inches, and to remove all accumulations of debris on various vacant and unmaintained privately-owned properties within the Town of Cheektowaga and

WHEREAS, the Housing & Neighborhood Preservation Office, and public health and safety require that action be taken immediately, it is necessary that the Housing & Neighborhood Preservation Office retain a private contractor to perform the necessary grass cutting and landscaping services on the property, and

WHEREAS, consistent with the provision of Section 70-8 of the Town Code, costs incurred by the Inspector in eliminating or removing nuisances and dangerous or unsafe conditions shall be paid for by the municipal fiscal officer out of the municipal treasury upon certification of the Inspector. Such costs shall be charged against the premises and shall constitute a lien thereon in favor of the municipality, and the amount of such costs shall be entered on the tax rolls as being due and payable, and

WHEREAS, due to the projected annual cost for performing this work, it is in order that this Board advertise for bids for these services, and

WHEREAS, the Building and Plumbing Inspections Department, Neighborhood Preservation Office, and the Town Attorney's Office have drafted bid specifications for this purpose for January 1, 2018 through December 31, 2018, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for Furnishing Equipment and Operators for Grass Cutting and Related Landscaping Services for Various Vacant & Unmaintained Privately-Owned Properties in the Town of Cheektowaga (Bid# 2017- 39) in the Cheektowaga BEE, and BE IT FURTHER

RESOLVED, that bids will be received until December 20, 2017 at 11:00 AM by the Town Clerk, who is hereby authorized and directed to publicly open all bids received at such time in the Council Chambers in the Cheektowaga Town Hall.



NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on December 20, 2017 at 11:00 AM at the Town Hall, corner of Broadway and

Union Roads, for Grass Cutting and Related Landscaping Services for Various Vacant & Unmaintained Privately-Owned Properties in the Town of Cheektowaga for January 1, 2018 through December 31, 2018 (Bid # 2017-39). Work will be done on an as-needed basis, based on property conditions. Specifically, as directed/requested by the Office of Housing and Neighborhood Preservation.

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

Proposals shall be submitted in a sealed envelope plainly marked on the outside "Bid for Grass Cutting and Related Landscaping Services for Various Vacant & Unmaintained Privately-Owned Properties in the Town of Cheektowaga for January 1, 2018 through December 31, 2018 (Bid # 2017- 39)" and submitted to the Town Clerk prior to bid opening.

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

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

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

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

Vickie L. Dankowski
Town Clerk

DATED: November 28, 2017



15. RESOLUTION 2017-664

Notice to Bidders For Clean-Up of Various Vacant & Unmaintained Properties (Bid #2017-40)

Sponsored By: Councilmember Hammer, Supervisor Benczkowski

WHEREAS, the Office of Building Inspections, Housing & Neighborhood Preservation Division, is responsible for inspecting various properties within the Town of Cheektowaga to ensure compliance with residential and commercial property maintenance codes, and

WHEREAS, maintenance of these properties sometimes includes clean-up, garbage/rubbish & debris removal, minor demolition of structures and closure or removal of above ground pools and other related work, and

WHEREAS, when violations are noted, property owners are notified to maintain and secure their properties, and

WHEREAS, in the event property owners do not comply with these orders from the Housing & Neighborhood Preservation Office, and public health and safety require that action be taken immediately, it is necessary that the Housing & Neighborhood Preservation Office retain a private contractor to perform the necessary work on the property, and

WHEREAS, consistent with the provision of Section 70-8 of the Town Code, costs incurred by the Inspector in eliminating or removing nuisances and dangerous or unsafe conditions shall be paid for by the municipal fiscal officer out of the municipal treasury upon certification of the Inspector. Such costs shall be charged against the premises and shall constitute a lien thereon in favor of the municipality, and the amount of such costs shall be entered on the tax rolls as being due and payable, and

WHEREAS, due to the projected annual cost for performing this work, it is in order that this Board advertise for bids for these services, and

WHEREAS, the Building Inspections Department, Housing & Neighborhood Preservation Office and the Town Attorney's Office have drafted bid specifications for this purpose for January 1, 2018 through December 31, 2018, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for Furnishing Equipment and Operators for the Clean-up of Vacant Land and Unmaintained Properties in the Town of Cheektowaga for January 1, 2018 through December 31, 2018 (Bid #2017-40) in the Cheektowaga BEE, and BE IT FURTHER

RESOLVED, that bids will be received until December 20, 2017 at 11:00 a.m. by the Town Clerk, who is hereby authorized and directed to publicly open all bids received at such time in the Council Chambers in the Cheektowaga Town Hall.



NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on December 20, 2017 at 11:00 A.M., at the Town Hall, corner of Broadway and Union Roads, for Furnishing Equipment and Operators for the Clean-up of Vacant Land and Unmaintained Properties in the Town of Cheektowaga for January 1, 2018 through December 31, 2018 (Bid #2017-40), said services to include installation of padlocks and latches; boarding up of openings and minor demolitions.

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

Proposals shall be submitted in a sealed envelope plainly marked on the outside "Bid for Furnishing Equipment and Operators for the Clean-up of Vacant Land and Unmaintained Properties in the Town of Cheektowaga for January 1, 2018 through December 31, 2018 (Bid #2017-40)" and submitted to the Town Clerk prior to bid opening.

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

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

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

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

Vickie L. Dankowski
Town Clerk

DATED: November 28, 2017



16. RESOLUTION 2017-665

Notice to Bidders For Board-Up of Various Vacant & Unmaintained Properties (Bid #2017-41)

Sponsored By: Councilmember Hammer, Supervisor Benczkowski

WHEREAS, the Office of Building Inspections, Housing & Neighborhood Preservation Division, is responsible for inspecting various properties within the Town of Cheektowaga to ensure compliance with residential and commercial property maintenance codes, and

WHEREAS, maintenance of these properties sometimes includes boarding up/securing structures and closure of in-ground pools and other related work, and

WHEREAS, when violations are noted, property owners are notified to maintain and secure their properties, and

WHEREAS, in the event property owners do not comply with these orders from the Housing & Neighborhood Preservation Office, and public health and safety require that action be taken immediately, it is necessary that the Housing & Neighborhood Preservation Office retain a private contractor to perform the necessary work on the property, and

WHEREAS, consistent with the provision of Section 70-8 of the Town Code, costs incurred by the Inspector in eliminating or removing nuisances and dangerous or unsafe conditions shall be paid for by the municipal fiscal officer out of the municipal treasury upon certification of the Inspector. Such costs shall be charged against the premises and shall constitute a lien thereon in favor of the municipality, and the amount of such costs shall be entered on the tax rolls as being due and payable, and

WHEREAS, due to the projected annual cost for performing this work, it is in order that this Board advertise for bids for these services, and

WHEREAS, the Building Inspections Department, Housing & Neighborhood Preservation Office and the Town Attorney's Office have drafted bid specifications for this purpose for January 1, 2018 through December 31, 2018, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for Furnishing Equipment and Operators for the Board Up of Various Vacant and Unmaintained Properties in the Town of Cheektowaga for January 1, 2018 through December 31, 2018 (Bid #2017-41) in the Cheektowaga BEE, and BE IT FURTHER

RESOLVED, that bids will be received until December 20, 2017 at 11:00 a.m. by the Town Clerk, who is hereby authorized and directed to publicly open all bids received at such time in the Council Chambers in the Cheektowaga Town Hall.



NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on December 20, 2017 at 11:00 A.M., at the Town Hall, corner of Broadway and

Union Roads, for Furnishing Equipment and Operators for the Board Up of Various Vacant and Unmaintained Properties in the Town of Cheektowaga for January 1, 2018 through December 31, 2018 (Bid #2017-41), said services to include installation of padlocks and latches; boarding up of openings and closure of in-ground pools.

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

Proposals shall be submitted in a sealed envelope plainly marked on the outside "Bid for Furnishing Equipment and Operators for the Board Up of Various Vacant and Unmaintained Properties in the Town of Cheektowaga for January 1, 2018 through December 31, 2018 (Bid #2017-41)" and submitted to the Town Clerk prior to bid opening.

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

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

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

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

Vickie L. Dankowski
Town Clerk

DATED: November 28, 2017



17. RESOLUTION 2017-666

Notice to Bidders For Removal of Trees From Various Vacant & Unmaintained Properties in Cheektowaga (Bid #2017-42)

Sponsored By: Councilmember Hammer, Supervisor Benczkowski

WHEREAS, the Neighborhood Preservation Office, a Division of Building and Plumbing Inspections Department, is responsible for inspecting various properties within the Town of Cheektowaga to ensure compliance with the Codes of New York State and Cheektowaga Town Law, AND

WHEREAS, when violations are noted, property owners are notified to clean up their properties by removing hazardous dead, dying, diseased and/or distressed tree condition(s) within the Town of Cheektowaga, AND

WHEREAS, the cleaning up of these conditions includes tree and stump removal and filling and grading of disturbed areas, AND

WHEREAS, in the event property owners do not comply with clean up orders from the Housing & Neighborhood Preservation Office, public health and safety require that action be taken immediately, it is necessary that the Housing & Neighborhood Preservation Office retain a private contractor to perform the necessary tree and stump removal and filling and grading of disturbed areas on the property, AND

WHEREAS, consistent with the provision of Section 70-8 of the Town Code, costs incurred by the Inspector in eliminating or removing nuisances and dangerous or unsafe conditions shall be paid for by the municipal fiscal officer out of the municipal treasury upon certification of the Inspector. Such costs shall be charged against the premises and shall constitute a lien thereon in favor of the municipality, and the amount of such costs shall be entered on the tax rolls as being due and payable, AND

WHEREAS, due to the projected annual cost for performing this work, it is in order that this Board advertise for bids for these services, AND

WHEREAS, the Building and Plumbing Inspections Department, Neighborhood Preservation Office, and the Town Attorney's Office have drafted bid specifications for this purpose for January 1, 2018 through December 31, 2018, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for Furnishing Equipment and Operators for the Removal of Trees from Various Vacant & Unmaintained Privately-Owned Properties in the Town of Cheektowaga for January 1, 2018 through December 31, 2018 (Bid# 2017-42) in the Cheektowaga Bee, and BE IT FURTHER

RESOLVED, that bids will be received until December 20, 2017 at 11:00 AM by the Town Clerk, who is hereby authorized and directed to publicly open all bids received at such time in the Council Chambers in the Cheektowaga Town Hall.



NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on December 20, 2017 at 11:00 AM., at the Town Hall, corner of Broadway and Union Roads, for Furnishing Equipment and Operators for the Removal of Trees from Various Vacant & Unmaintained Privately-Owned Properties in the Town of Cheektowaga for January 1, 2018 through December 31, 2018 (Bid# 2017-42), said services to include residential and commercial property tree and stump removal and filling and grading of disturbed areas and is not intended to include town-owned properties, cemeteries or other excluded properties. Work will be done on an as-needed basis, as directed/requested by the Housing and Neighborhood Preservation Office.

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

Proposals shall be submitted in a sealed envelope plainly marked on the outside "Bid for Furnishing Equipment and Operators for the Removal of Trees from Various Vacant & Unmaintained Privately-Owned Properties in the Town of Cheektowaga for January 1, 2018 through December 31, 2018 (Bid# 2017-42)" and submitted to the Town Clerk prior to bid opening.

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

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

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

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

Vickie L. Dankowski
Town Clerk

DATED: November 28, 2017



18. RESOLUTION 2017-667

Notice to Bidders - One New and Unused 2018 or Newer Chevrolet 3500 HD Regular Cab 4X4 with Carbon Steel Rigid Dump Body with Coal Chute (Bid #2017-43)

Sponsored By: Supervisor Benczkowski, Councilmember Adamczyk

WHEREAS, it is in order that bids be advertised for the purchase of one (1) new and unused 2018 or Newer Chevrolet 3500 HD Regular Cab 4x4 with Carbon Steel Rigid Dump Body with Coal Chute, or equal, for use by the Facilities Department, AND

WHEREAS, the Engineering Department has completed preparation of specifications, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of one (1) new and unused 2018 or Newer Chevrolet 3500 HD Regular Cab 4X4 with Carbon Steel Rigid Dump Body with Coal Chute, or equal, said notice to be published in the CHEEKTOWAGA BEE, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 6th day of December, 2017 at 11:00 am at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.



NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on December 6, 2017 at 11:00 am, at the Town Hall, corner of Broadway and Union Roads, for the purchase of one (1) new and unused 2018 or Newer Chevrolet 3500 HD Regular Cab 4X4 with Carbon Steel Rigid Dump Body with Coal Chute, or equal, for use by the Facilities Department.

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

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

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

Vickie Dankowski
Town Clerk
Bid #2017-43



19. RESOLUTION 2017-668

Notice to Bidders - 2018 Chevrolet Tahoe 4WD Premier (or equal) for the Disaster Coordinator (Bid# 2017-44)

Sponsored By: Supervisor Benczkowski, Councilmember Kaminski

WHEREAS, the Town of Cheektowaga desires to lease for a period of four (4) years, with an option to buy, one (1) 2018 model, Chevrolet Tahoe 4WD Premier (or equal), for use by the Disaster Coordinator (Bid# 2017-44), NOW, THEREFORE, BE IT

RESOLVED, that this request be granted and that the Town Clerk be directed to publish a Notice to Bidders in connection with said lease of one (1) 2018 model, Chevrolet Tahoe 4WD Premier (or equal), said notice to be published in the CHEEKTOWAGA BEE, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received and opened by the Town Clerk on the 6th day of December, 2017 at 11:00 A.M., at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall.



NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on December 6, 2017 at 11:00 AM at the Town Hall, corner of Broadway and Union Roads, for the four (4) year lease with option to buy of one (1) 2018 model, Chevrolet Tahoe 4WD Premier (or equal) for use by the Disaster Coordinator.

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

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

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

Vickie L. Dankowski
Town Clerk
Bid# 2017-44

Dated: November 28, 2017



20. RESOLUTION 2017-669

Community Development Housing Rehab Funds

Sponsored By: Councilmember Hammer, Supervisor Benczkowski

Community Development Housing Rehab Funds

WHEREAS, the Town receives annual Community Development Block Grant Funds from the Department of Housing and Urban Development (HUD), and

WHEREAS, the Town also receives program income on an annual basis from the repayment of loans of the Housing Rehabilitation Loan Program, and

WHEREAS, the funds allocated towards new Housing Rehabilitation Loans for Fiscal Year 2017 is derived from anticipated program income from the repayment of loans and loan payoffs under the Town's HUD approved 2017 Annual Action Plan, and

WHEREAS, the anticipated collection of program income funds has not kept pace with the large amount of new Housing Rehabilitation Loans approved for program year 2017, and

WHEREAS, the Housing Rehabilitation Loan Program is in need of funds temporarily to pay contractors for completed work until such time as sufficient loan payments are collected to cover such costs, and

WHEREAS, the Community Development Department is therefore requesting that the Town pay such invoices for all work under currently under contract, and

WHEREAS, such loaned funds will be fully reimbursed to the Town when such loan payments are received, and

THEREFORE, be it resolved that the Town Board hereby authorize the accounting department to pay such project invoices for the Housing Rehabilitation Loan Program until sufficient funds are collected from previous loan payments.



21. RESOLUTION 2017-670

Authorize Supervisor to Execute Grant Application for Restore NY Funding

Sponsored By: Councilmember Hammer, Supervisor Benczkowski

WHEREAS, the Town of Cheektowaga Comprehensive Plan (2010), supports the redevelopment and revitalization of underutilized, obsolete and vacant buildings for economically viable uses, and

WHEREAS, the remediation, partial demolition and redevelopment of 3600 Harlem Road for senior housing effectively and efficiently provides for the use of existing infrastructure to accommodate residential uses targeted to meet the needs of the Town's growing senior population, thereby enhancing Cheektowaga's economic development, and preservation of community resources, and

WHEREAS, the project develops and enhances infrastructure and/or other facilities in a manner that will attract, create, and sustain employment opportunities in the community by providing residential housing for senior citizens, and

WHEREAS, grant funding is available through the Empire State Development Corporation's Restore NY Program for capital projects similar to the proposed reuse of 3600 Harlem Road, and

WHEREAS, the Town of Cheektowaga may apply to Restore NY for a maximum grant of \$1,000,000 toward the estimated \$19,000,000 project, and

WHEREAS, the developer has indicated their intent to provide matching funds necessary to undertake the project, indicating the proposed financing is appropriate for the project, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board authorizes the submission of a grant application for Restore NY funding

AND BE IT FURTHER

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



22. RESOLUTION 2017-671

Authorize Supervisor to Execute Grant Application, Administration and Disbursement Agreements Relative to Restore NY Grant Regarding 3600 Harlem Road

Sponsored By: Councilmember Hammer, Supervisor Benczkowski

WHEREAS, the New York State Empire Development Corporation offers grants through the Restore NY program to fund the demolition, remediation, and redevelopment of structures and,

WHEREAS, the property located at 3600 Harlem Road is in need of partial demolition, remediation, and redevelopment, and

WHEREAS, the Developer, 3600 Harlem, LLC, has expressed willingness to participate in the Restore NY program and

WHEREAS, this Town Board did, at its regular meeting held on Tuesday, November 14, 2017, call a public hearing to consider the grant application for funding for the demolition, remediation, and redevelopment of property located at 3600 Harlem Road in conjunction with the Developer, 3600 Harlem, LLC; and

WHEREAS, said hearing was held on the 28th day of November, 2017 at which time all persons were given an opportunity to be heard; NOW, THEREFORE BE IT

RESOLVED, that, subject to the Town Attorney's approval, this Town Board does hereby approve and authorize the Supervisor to execute a Grant Application, Administration and Disbursement Agreement between the Town of Cheektowaga and 3600 Harlem Road, LLC outlining the responsibilities of the parties relative to the Restore NY Grant (Round 5) Application for demolition, remediation, and redevelopment for premises located at 3600 Harlem Road.



23. RESOLUTION 2017-672

Authorize Supervisor To Sign & Execute Waiver

Sponsored By: Supervisor Benczkowski, Councilmember Hammer

WHEREAS, on August 15, 2002 Maryann Diehl (Mortgagor) of 127 Sprucewood Drive, Cheektowaga, NY executed a mortgage in favor of the Town of Cheektowaga (Mortgagee) in the amount of \$37,000.00; and

WHEREAS, the interest rate on this deferred-payment loan is 0.0% while the loan is deferred; and

WHEREAS, said mortgage became due and payable in the event of the death of the last permanently residing owner-occupant of the property; and

WHEREAS, Maryann Diehl is now deceased and Ronald Diehl, through his attorney at the WNY Law Center is looking to act as administrator of the estate; and

WHEREAS, the Surrogate's Court of the State of New York is requesting the Town of Cheektowaga sign a Waiver of Citation and Consent to Appointment of Administrator to complete the process; and

WHEREAS, Town of Cheektowaga Deputy Attorney Melissa A. Reese, Esq. has recommended that the Town of Cheektowaga sign the waiver, and

WHEREAS, this agreement is in the best interest of the Town of Cheektowaga; NOW THEREFORE, BE IT

RESOLVED, that the Town Board accepts the recommendation that the Supervisor sign the consent and waiver and the Supervisor be and hereby is authorized to execute said waiver and consent subject to the approval of the Town Attorney.



24. RESOLUTION 2017-673

Termination of Part-Time/Seasonal Employees

Sponsored By: Supervisor Benczkowski, Councilmember Adamczyk

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

POLICE DEPARTMENT
Phillip Conti effective 12/1/17
Jonathan Senn 11/2/17

SANITATION DEPARTMENT
Ronald Sobocinski 10/13/17
Steven Gillenwater 9/23/17

SENIOR SERVICES DEPARTMENT
Jerome Lewandowski 11/14/17



25. RESOLUTION 2017-674

Appointment of Assistant Code Enforcement Officer (Competitive/Provisional) Building & Plumbing Department/Robert Komasa

Sponsored By: Councilmember Hammer, Supervisor Benczkowski

WHEREAS, a vacancy exists in the position of Assistant Code Enforcement Officer in the Building and Plumbing Department; AND

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

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

WHEREAS, no valid civil service list exists for said title; AND

WHEREAS, Robert Komasa applied for said vacancy and meets all of the necessary qualifications for provisional appointment; NOW, THEREFORE, BE IT

RESOLVED, that Robert Komasa of Cheektowaga, New York, be and hereby is appointed to the provisional position of Assistant Code Enforcement Officer in the Building and Plumbing Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective December 6, 2017.



26. RESOLUTION 2017-675

Appointment of Laborer (Labor/Permanent) Facilities Department - Parks Division/Christopher LaCorte

Sponsored By: Supervisor Benczkowski, Councilmember Hammer

WHEREAS, a vacancy exists in the title of Laborer in the Facilities Department (Parks Division); AND

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

WHEREAS, Christopher LaCorte, applied for said vacancy and meets the necessary qualifications for appointment; NOW, THEREFORE, BE IT

RESOLVED, that Christopher LaCorte, of Cheektowaga, New York, be and hereby is appointed to the position of Laborer 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 November 29, 2017.



27. RESOLUTION 2017-676

Travel Authorization Police Department

Sponsored By: Councilmember Adamczyk, Councilmember Hammer

WHEREAS, the Force Science Realistic De-escalation Program is being held December 19, 2017 through December 20, 2017 in Oneida County, New York; AND

WHEREAS, Sergeant Thomas Allen and Police Officer Jacob Gawronski have been recommended to attend said program; AND

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

WHEREAS, the total cost to the Town shall not exceed \$303; AND

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

RESOLVED, that Sergeant Thomas Allen and Police Officer Jacob Gawronski be and hereby are authorized to attend the Force Science Realistic De-escalation Program being held December 19, 2017 through December 20, 2017 in Oneida County, New York.



28. RESOLUTION 2017-677

Travel Authorization Office of Community & Economic Development

Sponsored By: Councilmember Hammer, Supervisor Benczkowski

WHEREAS, the Niagara Frontier Building Officials Education Conference is being held January 22-24, 2018 in Cheektowaga, New York; AND

WHEREAS, Director of Community Development Richard Willis, Junior Planner Dale Marie Parks, and Assistant Code Enforcement Officer PT Lawrence Kensy have been recommended to attend said training; AND

WHEREAS, Director of Community Development Richard Willis has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$945.00; AND

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

RESOLVED, that Director of Community Development Richard Willis, Junior Planner Dale Marie Parks, and Assistant Code Enforcement Officer PT Lawrence Kensy be and hereby are authorized to attend the Niagara Frontier Building Officials Education Conference being held January 22-24, 2018 in Cheektowaga, New York.



29. RESOLUTION 2017-678

Travel Authorization Housing and Preservation

Sponsored By: Councilmember Hammer, Supervisor Benczkowski

WHEREAS, a Fire Inspector 1 Seminar is being held April 9, 2018 in Montour Falls, New York; AND

WHEREAS, Fire Inspector Joseph Ehnes been recommended to attend said seminar; AND

WHEREAS, Supervising Code Enforcement Officer Richard Coburn has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$424.60; AND

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

RESOLVED, that Fire Inspector Joseph Ehnes be and hereby is authorized to attend the Fire Inspector 1 Seminar on April 9, 2018 in Montour Falls, New York.

X. Communications

A. Departmental Communications

1. Minutes: Cheektowaga Planning Board - November 9, 2017
2. Minutes: Cheektowaga Traffic Safety Commission - November 21, 2017

B. General Communications

1. Notice of Claim: Patricia Martin vs. Town of Cheektowaga

XI. 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.

XII. Adjournment