



Town of Cheektowaga

Regular Meeting

~ Minutes ~

Cheektowaga, NY 14227

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

Vickie L. Dankowski
716-686-3434

Tuesday, March 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 March 28, 2017 at Council Chambers, 3301 Broadway, Cheektowaga, NY.

Attendee Name	Organization	Title	Status	Arrived
Diane Benczkowski	Town of Cheektowaga	Supervisor	Excused	
James P. Rogowski	Town of Cheektowaga	Councilmember	Present	
Gerald Kaminski	Town of Cheektowaga	Councilmember	Present	
Timothy J. Meyers	Town of Cheektowaga	Councilmember	Present	
Christine Adamczyk	Town of Cheektowaga	Councilmember	Present	
Linda Hammer	Town of Cheektowaga	Councilmember	Present	
Alice Magierski	Town of Cheektowaga	Councilmember	Present	

2. Additional Attendees

Raymond Bobeck, General Crew Chief, Sewer Department
 Patrick Bowen, Town Engineer
 Robert Brandon, Zoning Board Chairman
 Richard Coburn, Supervising Code Enforcement Officer
 Stanley Kaznowski, III, Planning Board Chairman
 Karen Marchese, Coordinator of Employee Relations
 Jill Oxley, Assessor
 Kevin Schenk, Town Attorney

V. Approve Minutes

Motion by Councilmember Adamczyk, Seconded by Councilmember Magierski to approve the minutes. Motion Carried.

VI. 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.

VII. Public Hearings

1. Special Use Permit Request - 5074 Transit Road

History:

03/14/17 Board ADJOURNED Next: 03/28/17

COMMENTS - Current Meeting:

This being the time and place advertised for a Public Hearing, the Supervisor directed the Town Clerk to present that such notice has been duly published and posted; upon the order of the Supervisor such proof was duly filed.

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

RESULT: CLOSED [UNANIMOUS]
MOVER: James P. Rogowski, Councilmember
SECONDER: Timothy J. Meyers, Councilmember
AYES: Rogowski, Kaminski, Meyers, Adamczyk, Hammer, Magierski
EXCUSED: Diane Benczkowski

2. Rezoning Request - Part of 2685 Walden Avenue

History:

03/14/17 Board ADJOURNED Next: 03/28/17

COMMENTS - Current Meeting:

This being the time and place advertised for a Public Hearing, the Supervisor directed the Town Clerk to present that such notice has been duly published and posted; upon the order of the Supervisor such proof was duly filed.

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

RESULT: CLOSED [UNANIMOUS]
MOVER: James P. Rogowski, Councilmember
SECONDER: Timothy J. Meyers, Councilmember
AYES: Rogowski, Kaminski, Meyers, Adamczyk, Hammer, Magierski
EXCUSED: Diane Benczkowski

3. Local Law Intro No. 1 of the Year 2017 to Amend Chapter 107 of the Town Code

COMMENTS - Current Meeting:

This being the time and place advertised for a Public Hearing, the Supervisor directed the Town Clerk to present that such notice has been duly published and posted; upon the order of the Supervisor such proof was duly filed.

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

RESULT: **CLOSED [UNANIMOUS]**
MOVER: Linda Hammer, Councilmember
SECONDER: James P. Rogowski, Councilmember
AYES: Rogowski, Kaminski, Meyers, Adamczyk, Hammer, Magierski
EXCUSED: Diane Benczkowski

4. Local Law Intro No. 2 of the Year 2017 to Amend Chapter 26 of the Town Code

COMMENTS - Current Meeting:

This being the time and place advertised for a Public Hearing, the Supervisor directed the Town Clerk to present that such notice has been duly published and posted; upon the order of the Supervisor such proof was duly filed.

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

RESULT: **CLOSED [UNANIMOUS]**
MOVER: Linda Hammer, Councilmember
SECONDER: James P. Rogowski, Councilmember
AYES: Rogowski, Kaminski, Meyers, Adamczyk, Hammer, Magierski
EXCUSED: Diane Benczkowski

5. Local Law Intro No. 3 of the Year 2017 - A Local Law to Amend the Zoning Law

COMMENTS - Current Meeting:

This being the time and place advertised for a Public Hearing, the Supervisor directed the Town Clerk to present that such notice has been duly published and posted; upon the order of the Supervisor such proof was duly filed.

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

RESULT: CLOSED [UNANIMOUS]
MOVER: Linda Hammer, Councilmember
SECONDER: James P. Rogowski, Councilmember
AYES: Rogowski, Kaminski, Meyers, Adamczyk, Hammer, Magierski
EXCUSED: Diane Benczkowski

6. Demolition of 17 Yvette Drive

COMMENTS - Current Meeting:

This being the time and place advertised for a Public Hearing, the Supervisor directed the Town Clerk to present that such notice has been duly published and posted; upon the order of the Supervisor such proof was duly filed.

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

RESULT: CLOSED [UNANIMOUS]
MOVER: Linda Hammer, Councilmember
SECONDER: Timothy J. Meyers, Councilmember
AYES: Rogowski, Kaminski, Meyers, Adamczyk, Hammer, Magierski
EXCUSED: Diane Benczkowski

VIII. Presentation

KLW Group - Assessments

Councilmember Adamczyk left during presentation at approximately 8:00 pm, prior to reading of Resolutions.

IX. Resolutions



1. RESOLUTION 2017-185

Transfer of Funds-2016

Sponsored By: Councilmember Hammer, Councilmember Meyers

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

CDBG			
FROM:	900.8600.4910	NYS AHC Revenues	\$112,500.00
TO:	900.8668.4010	Loans from Program	\$72,500.00
	900.8668.1901	Payroll	36,000.00
	900.8668.5004	Environmental Hazard Testing	4,000.00
GENERAL			
FROM:	100.3310.4185	Flashers/Barricades	\$585.00
	100.3510.4001	Supplies	6.00
	100.5132.4221	Gas Highway Garage	219.00
	100.7310.4671	Youth Service Projects	28.00
	100.1010.4001	Office Supplies	1,599.00
	100.1010.4088	Travel, Training and Conferences	1,775.00
	100.1110.4431	Equipment Maintenance	205.00
	100.1910.4711	Contingency	36,109.00
	100.1355.4561	Contracted Legal Assessor	12,089.00
	100.1415.4001	Contractual Services	241.00
	100.1420.4013	Law Books	2,923.00
	100.1910.4711	Contingency	70,033.00
	100.1430.4754	Drug Testing	8,742.00
	100.1430.4751	Employee Assistance	2,666.00
	100.1640.4441	Equipment Repair-Police	3,457.00
	100.3120.4009	Scientific Investigations	1,428.00
	100.1910.2799	Appropriated Fund Balance	175,000.00
TO:	100.3310.4217	Utilities	\$585.00
	100.3510.2501	Office Equipment	6.00
	100.5132.4231	Water	219.00
	100.7310.4693	Dev. Disabled	28.00
	100.1010.2201	Office Equipment	3,374.00
	100.1110.4592	Contracted Clerical	205.00
	100.1220.4957	Grant Development Supervisor	10,278.00
	100.1320.4145	Professional Services	19,347.00
	100.1355.4323	Assessor Contracted	12,089.00
	100.1410.4001	Office Supplies	1,168.00
	100.1410.4055	Ordinance Code	2,193.00
	100.1410.4111	Publishing Notices	3,123.00
	100.1415.2000	Equipment	241.00
	100.1420.4001	Office Supplies	1,481.00
	100.1420.4014	Filing Fees	1,555.00
	100.1420.4321	Data Processing	1,255.00
	100.1420.4501	Contracted Legal	68,665.00

	100.1430.4502	Legal Personnel	11,245.00
	100.1430.4752	Pre-employment Physical	163.00
	100.1640.4021	Safety Equipment	1,996.00
	100.1640.4445	Parks Equipment Repair	1,461.00
	100.3120.2303	Over the Road Vehicles	5.00
	100.3120.4001	Office Supplies	434.00
	100.3120.4005	Community Service	276.00
	100.3120.4007	Emergency Response	95.00
	100.3120.4046	Motorcycle Division	14.00
	100.3120.4099	Special Investigations	604.00
	100.9950.8729	Transfer to Capital	175,000.00
SPECIAL DISTRICTS			
FROM:	150.8160.4160	Diesel Fuel	\$1,873.00
	150.8173.4444	Recycling Contractor	3,040.00
	255.8125.4581	Consulting Engineers	107,787.00
	610.1910.2799	Appropriated Fund Balance	1,354.00
TO:	150.8160.4001	Office Supplies	\$25.00
	150.8160.4071	Uniforms	700.00
	150.8160.4211	Electric	567.00
	150.8160.4469	Disposal Costs	581.00
	150.8173.4194	Advertising	3,040.00
	255.8125.4545	Telemetry	106,479.00
	255.8125.4702	Buffalo Sewer Charges	1,308.00
	610.8351.4339	Hydrant Rental	1,354.00
HIGHWAY			
FROM:	300.5110.4352	Erie County Chargeback	\$4,403.00
	300.5110.4162	Gasoline & Oil	12,722.00
	300.5110.4185	Barricades	683.00
	300.5130.2407	Misc. Highway Equipment	277.00
TO:	300.5110.4207	GPS Services	\$18,085.00
PART TOWN			
FROM:	800.3620.4191	Misc. Expense	\$2,066.00
TO:	800.3620.2201	Office Equipment	\$2,066.00

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda Hammer, Councilmember
SECONDER:	Timothy J. Meyers, Councilmember
AYES:	Rogowski, Kaminski, Meyers, Hammer, Magierski
EXCUSED:	Diane Benczkowski, Christine Adamczyk



2. RESOLUTION 2017-186

Warrant

Sponsored By: Councilmember Hammer, Councilmember Meyers

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

GENERAL FUND	\$204,094.00
RISK RETENTION FUND	19,998.78
NYS HOME PROGRAM	0.00
DEBT	0.00
HUD HOUSING REHABILITATION FUND	15,262.80
SPECIAL DISTRICTS FUND	152,564.99
HIGHWAY FUND	48,018.01
CAPITAL FUND	4,470.00
TRUST & AGENCY FUND	7,482.00
HUD CDBG FUND	18,249.31
PART TOWN FUND	1,865.91
NYS AFFORDABLE HOUSING	14,469.20
	<hr/>
	\$486,475.00

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda Hammer, Councilmember
SECONDER:	Timothy J. Meyers, Councilmember
AYES:	Rogowski, Kaminski, Meyers, Hammer, Magierski
EXCUSED:	Diane Benczkowski, Christine Adamczyk



3. RESOLUTION 2017-187

Award of Bid - GRASS CUTTING & RELATED LANDSCAPING SERVICES FOR VARIOUS TOWN-OWNED PROPERTIES IN THE TOWN OF CHEEKTOWAGA FROM JANUARY 1, 2017 – DECEMBER 31, 2017 (Bid# 2017-3)

Sponsored By: Councilmember Hammer, Councilmember Meyers

WHEREAS, a Notice to Bidders was published for Furnishing Equipment and Operators for Grass Cutting & Related Landscaping Services for Various Town-Owned Properties in the Town of Cheektowaga from January 1, 2017 - December 31, 2017 for the Office of Building Inspections, Housing & Neighborhood Preservation Division, which bids were duly received and opened on February 2, 2017 by the Town Clerk; and

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

WHEREAS, the Supervising Code Enforcement Officer recommend that the contract for Furnishing Equipment and Operators for Grass Cutting & Related Landscaping Services for Various Town-Owned Properties in the Town of Cheektowaga from January 1, 2017 - December 31, 2017 be awarded to Mancuso Landscaping, 7768 Lewis Road, Holland, New York, 14080, for its submission of the lowest bid; NOW, THEREFORE, BE IT

RESOLVED, that the bid for the Furnishing Equipment and Operators for Furnishing Equipment and Operators for Grass Cutting & Related Landscaping Services for Various Town-Owned Properties in the Town of Cheektowaga from January 1, 2017 - December 31, 2017 be and hereby is awarded to Mancuso Landscaping for the bid prices listed in its proposal, being the lowest responsible bid meeting the requirements of the specifications for said bid item; and BE IT FURTHER

RESOLVED, that the Supervisor, on behalf of this Town Board, be and hereby is directed and authorized to execute the contract with Mancuso Landscaping for the aforesaid service.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda Hammer, Councilmember
SECONDER:	Timothy J. Meyers, Councilmember
AYES:	Rogowski, Kaminski, Meyers, Hammer, Magierski
EXCUSED:	Diane Benczkowski, Christine Adamczyk



4. RESOLUTION 2017-188

Award of Bid - GRASS CUTTING OF VARIOUS VACANT & UNMAINTAINED PRIVATELY-OWNED PROPERTIES IN THE TOWN OF CHEEKTOWAGA FROM JANUARY 1, 2017 - DECEMBER 31, 2017 (Bid# 2017-4)

Sponsored By: Councilmember Hammer, Councilmember Meyers

WHEREAS, a Notice to Bidders was published for Furnishing Equipment and Operators for the Grass Cutting & Related Landscaping Services of Various Vacant & Unmaintained Privately-Owned Properties in the Town of Cheektowaga from January 1, 2017 - December 31, 2017 for the Office of Building Inspections, Housing & Neighborhood Preservation Division, which bids were duly received and opened on February 2, 2017 by the Town Clerk; and

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

WHEREAS, the Supervising Code Enforcement Officer recommend that the contract for Furnishing Equipment and Operators for the Grass Cutting & Related Landscaping Services of Various Vacant & Unmaintained Privately-Owned Properties in the Town of Cheektowaga from January 1, 2017 - December 31, 2017 be awarded to Mancuso Landscaping, 7768 Lewis Road, Holland, New York, 14080, for its submission of the lowest bid; NOW, THEREFORE, BE IT

RESOLVED, that the bid for the Furnishing Equipment and Operators for Grass Cutting & Related Landscaping Services of Various Vacant & Unmaintained Privately-Owned Properties in the Town of Cheektowaga from January 1, 2017 - December 31, 2017 be and hereby is awarded to Mancuso Landscaping for the bid prices listed in its proposal, being the lowest responsible bid meeting the requirements of the specifications for said bid item; and BE IT FURTHER

RESOLVED, that the Supervisor, on behalf of this Town Board, be and hereby is directed and authorized to execute the contract with Mancuso Landscaping for the aforesaid service.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda Hammer, Councilmember
SECONDER:	Timothy J. Meyers, Councilmember
AYES:	Rogowski, Kaminski, Meyers, Hammer, Magierski
EXCUSED:	Diane Benczkowski, Christine Adamczyk



5. RESOLUTION 2017-189

Award of Bid - CLEAN-UP OF VARIOUS VACANT & UNMAINTAINED PRIVATELY-OWNED PROPERTIES IN THE TOWN OF CHEEKTOWAGA FROM JANUARY 1, 2017 - DECEMBER 31, 2017 (Bid# 2017-5)

Sponsored By: Councilmember Hammer, Councilmember Meyers

WHEREAS, a Notice to Bidders was published for Furnishing Equipment and Operators for the Clean-Up of Various Vacant & Unmaintained Privately-Owned Properties in the Town of Cheektowaga from January 1, 2017 - December 31, 2017 for the Office of Building Inspections, Housing & Neighborhood Preservation Division, which bids were duly received and opened on February 2, 2017 by the Town Clerk; and

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

WHEREAS, the Supervising Code Enforcement Officer recommend that the contract for Furnishing Equipment and Operators for the Clean-Up of Various Vacant & Unmaintained Privately-Owned Properties in the Town of Cheektowaga from January 1, 2017 - December 31, 2017 be awarded to Brothers-In-Lawn, Inc., 295 Coronation Drive, Amherst, New York, 14226, for its submission of the lowest bid; NOW, THEREFORE, BE IT

RESOLVED, that the bid for the Furnishing Equipment and Operators for the Clean-Up of Various Vacant & Unmaintained Privately-Owned Properties in the Town of Cheektowaga from January 1, 2017 - December 31, 2017 be and hereby is awarded to Brothers-In-Lawn, Inc. for the bid prices listed in its proposal, being the lowest responsible bid meeting the requirements of the specifications for said bid item; and BE IT FURTHER

RESOLVED, that the Supervisor, on behalf of this Town Board, be and hereby is directed and authorized to execute the contract with Brothers-In-Lawn, Inc. for the aforesaid service.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda Hammer, Councilmember
SECONDER:	Timothy J. Meyers, Councilmember
AYES:	Rogowski, Kaminski, Meyers, Hammer, Magierski
EXCUSED:	Diane Benczkowski, Christine Adamczyk



6. RESOLUTION 2017-190

Award of Bid - Cold Milling Various Town Highways (Bid #2017-15)

Sponsored By: Councilmember Rogowski, Councilmember Meyers

WHEREAS, a Notice to Bidders was published for the receipt of bids for the Cold Milling of Various Town Highways within the Town of Cheektowaga, which bids were duly received and opened on March 22, 2017, AND

WHEREAS, four (4) bids were received and referred to the Town Engineer for analysis and tabulation, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the Cold Milling of Various Town Highways in the Town of Cheektowaga for the year of 2017 be awarded to:

Villager Construction, Inc
425 Old Macedon Center Road
Fairport, New York 14450

for the bid price of \$108,000.00, said being the lowest bid meeting the requirements of the specifications, AND, BE IT FURTHER

RESOLVED, that payment for work performed under this contract shall be chargeable to the appropriate departmental budgeted line item.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James P. Rogowski, Councilmember
SECONDER:	Timothy J. Meyers, Councilmember
AYES:	Rogowski, Kaminski, Meyers, Hammer, Magierski
EXCUSED:	Diane Benczkowski, Christine Adamczyk



7. RESOLUTION 2017-191

Award of Bid- Work Uniforms (Bid #2017-22)

Sponsored By: Councilmember Meyers, Councilmember Rogowski

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of Work Uniforms for calendar year 2017, which bids were duly received and opened by the Office of the Town Clerk at a public bid opening on March 22, 2017 AND

WHEREAS, said bids were referred to the Personnel Department for analysis, and report, NOW, THEREFORE, BE IT

RESOLVED, that the bid for the furnishing of Work Uniforms for calendar year 2017 is hereby awarded to The Liberty Store, 5 East Genesee Street, Auburn, NY 13021. The company having submitted the lowest bid meeting the requirements of the specifications for the bid items as stated.

BID ITEMS

I	Total Bid Price- Sweatshirts	\$ 5,811.20
II	Total Bid Price- Chambray Shirts	\$ 93.90
III	Total Bid Price - Tee Shirts	\$ 1,919.43
IV	Total Bid Price -Denim Jeans/Work Pants	\$ 998.23
V	Total Bid Price - Coveralls/Bibs/Bib Overalls	\$ 422.40
VI	Total Bid Price - High Visibility/Insulated Jackets- Class 3	\$ 1,048.75
VII	Total Bid Price - Carhartt Jackets	\$ 2,741.66
	Total Bid Dollars	\$13,035.57

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Timothy J. Meyers, Councilmember
SECONDER:	James P. Rogowski, Councilmember
AYES:	Rogowski, Kaminski, Meyers, Hammer, Magierski
EXCUSED:	Diane Benczkowski, Christine Adamczyk



8. RESOLUTION 2017-192

Bond Resolution for Reconstruction and Resurfacing of Various Town Highways

Sponsored By: Councilmember Meyers, Councilmember Rogowski

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED MARCH 28, 2017, AUTHORIZING THE PARTIAL RECONSTRUCTION AND RESURFACING OF VARIOUS TOWN HIGHWAYS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$3,000,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$3,000,000 TO FINANCE SAID APPROPRIATION

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Cheektowaga, in the County of Erie, New York (herein called the "Town"), is hereby authorized to partially reconstruct and resurface various Town highways. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$3,000,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in the principal amount of \$3,000,000 to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Town in the principal amount of \$3,000,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting

Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 20 (c) of the Law, is fifteen (15) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of bonds with

substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and Section 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to cause to be published, in full, in the "*Cheektowaga Bee*," a newspaper having a general circulation within said Town and hereby designated the official newspaper of the Town for such publication and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on March 28, 2017, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a bond resolution entitled:

“Bond Resolution of the Town of Cheektowaga, New York, adopted March 28, 2017, authorizing the partial reconstruction and resurfacing of various Town highways, stating the estimated maximum cost thereof is \$3,000,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$3,000,000 to finance said appropriation,”

an abstract of which bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Town to partially reconstruct and resurface various Town highways; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$3,000,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of bonds in the principal amount of \$3,000,000 to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of bonds in the principal amount of \$3,000,000 of the Town pursuant to the Local Finance Law of the State of New York to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is fifteen (15) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said \$3,000,000 bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: March 28, 2017

Vickie L. Dankowski
Town Clerk

Section 8. The Town Clerk is hereby authorized and directed to cause said bond resolution to be published, in summary, after said bond resolution shall take effect, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Timothy J. Meyers, Councilmember
SECONDER:	James P. Rogowski, Councilmember
AYES:	Rogowski, Kaminski, Meyers, Hammer, Magierski
EXCUSED:	Diane Benczkowski, Christine Adamczyk



9. RESOLUTION 2017-193

Bond Resolution Authorizing Drainage Improvements on Town Highways

Sponsored By: Councilmember Meyers, Councilmember Rogowski

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED MARCH 28, 2017, AUTHORIZING THE CONSTRUCTION OF DRAINAGE IMPROVEMENTS ON TOWN HIGHWAYS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$775,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$775,000 TO FINANCE SAID APPROPRIATION

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Cheektowaga, in the County of Erie, New York (herein called the "Town"), is hereby authorized to construct drainage improvements on Town highways. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$775,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in the principal amount of \$775,000 to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Town in the principal amount of \$775,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting

Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 4 of the Law, is forty (40) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of bonds with

substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and Section 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to cause to be published, in full, in the "*Cheektowaga Bee*," a newspaper having a general circulation within said Town and hereby designated the official newspaper of the Town for such publication and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on March 28, 2017, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a bond resolution entitled:

“Bond Resolution of the Town of Cheektowaga, New York, adopted March 28, 2017, authorizing the construction of drainage improvements on Town highways, stating the estimated maximum cost thereof is \$775,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$775,000 to finance said appropriation,”

an abstract of which bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Town to construct drainage improvements on Town highways; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$775,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of bonds in the principal amount of \$775,000 to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of bonds in the principal amount of \$775,000 of the Town pursuant to the Local Finance Law of the State of New York to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is forty (40) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said \$775,000 bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: March 28, 2017

Vickie L. Dankowski
Town Clerk

Section 8. The Town Clerk is hereby authorized and directed to cause said bond resolution to be published, in summary, after said bond resolution shall take effect, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Timothy J. Meyers, Councilmember
SECONDER:	James P. Rogowski, Councilmember
AYES:	Rogowski, Kaminski, Meyers, Hammer, Magierski
EXCUSED:	Diane Benczkowski, Christine Adamczyk



10. RESOLUTION 2017-194

Bond Resolution for Reconstructing Various Sidewalks

Sponsored By: Councilmember Meyers, Councilmember Rogowski

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED MARCH 28, 2017, AUTHORIZING THE RECONSTRUCTION OF VARIOUS SIDEWALKS IN THE TOWN, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$200,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$200,000 TO FINANCE SAID APPROPRIATION

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Cheektowaga, in the County of Erie, New York (herein called the "Town"), is hereby authorized to reconstruct various sidewalks in the Town. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$200,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in the principal amount of \$200,000 to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Town in the principal amount of \$200,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting

Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 24 of the Law, is ten (10) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of bonds with

substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and Section 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to cause to be published, in full, in the "*Cheektowaga Bee*," a newspaper having a general circulation within said Town and hereby designated the official newspaper of the Town for such publication and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on March 28, 2017, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a bond resolution entitled:

“Bond Resolution of the Town of Cheektowaga, New York, adopted March 28, 2017, authorizing the reconstruction of various sidewalks in the Town, stating the estimated maximum cost thereof is \$200,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$200,000 to finance said appropriation,”

an abstract of which bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Town to reconstruct various sidewalks in the Town; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$200,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of bonds in the principal amount of \$200,000 to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of bonds in the principal amount of \$200,000 of the Town pursuant to the Local Finance Law of the State of New York to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is ten (10) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said \$200,000 bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: March 28, 2017

Vickie L. Dankowski
Town Clerk

Section 8. The Town Clerk is hereby authorized and directed to cause said bond resolution to be published, in summary, after said bond resolution shall take effect, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Timothy J. Meyers, Councilmember
SECONDER:	James P. Rogowski, Councilmember
AYES:	Rogowski, Kaminski, Meyers, Hammer, Magierski
EXCUSED:	Diane Benczkowski, Christine Adamczyk



11. RESOLUTION 2017-195

Bond Resolution for Construction of Improvements to Various Town Buildings

Sponsored By: Councilmember Meyers, Councilmember Rogowski

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED MARCH 28, 2017, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO VARIOUS TOWN BUILDINGS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,725,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$1,725,000 TO FINANCE SAID APPROPRIATION

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Cheektowaga, in the County of Erie, New York (herein called the "Town"), is hereby authorized to construct improvements to various Town buildings. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,725,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in the principal amount of \$1,725,000 to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Town in the principal amount of \$1,725,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting

Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 12 (a) (2) of the Law, is fifteen (15) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of bonds with

substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and Section 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to cause to be published, in full, in the "*Cheektowaga Bee*," a newspaper having a general circulation within said Town and hereby designated the official newspaper of the Town for such publication and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on March 28, 2017, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a bond resolution entitled:

“Bond Resolution of the Town of Cheektowaga, New York, adopted March 28, 2017, authorizing the construction of improvements to various Town buildings, stating the estimated maximum cost thereof is \$1,725,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$1,725,000 to finance said appropriation,”

an abstract of which bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Town to construct improvements to various Town buildings; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$1,725,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of bonds in the principal amount of \$1,725,000 to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of bonds in the principal amount of \$1,725,000 of the Town pursuant to the Local Finance Law of the State of New York to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is fifteen (15) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said \$1,725,000 bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: March 28, 2017

Vickie L. Dankowski
Town Clerk

Section 8. The Town Clerk is hereby authorized and directed to cause said bond resolution to be published, in summary, after said bond resolution shall take effect, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Timothy J. Meyers, Councilmember
SECONDER:	James P. Rogowski, Councilmember
AYES:	Rogowski, Kaminski, Meyers, Hammer, Magierski
EXCUSED:	Diane Benczkowski, Christine Adamczyk



12. RESOLUTION 2017-196

Call for a Public Hearing to Amend Building Construction Codes Administration Law

Sponsored By: Councilmember Hammer, Councilmember Meyers

WHEREAS, by resolution dated September 7, 2004, Local Law No. 5 of the Year 2004 of the Town of Cheektowaga, entitled "A Local Law to Repeal Local Law No. 1 of the Year 1979 and Adopt a Law for Administration and Enforcement of the Codes of New York State" was adopted, and

WHEREAS, the Building and Plumbing Department has recommended that the Building Construction Codes Administration Law be amended:

- 1.. to amend Section 70-17 B changing Board member compensation to \$50.00 per meeting totaling no more than \$450.00 per year
2. to amend Section 70-20 A making sewer contractors eligible to obtain a permit for plumbing work and allowing any persons who have successfully completed the NYS plumbers and pipefitters apprentice program to obtain a Masters or Journeyman license without taking an exam upon production of a Certificate of Completion from the NYS Department of Labor
3. to amend Section 70-20 C to further define "sewer contract work" as "any storm, hot boxes/RPZ, sanitary sewer and water service up to 5 ft. of the building"
4. to amend Section 70-23I to allow a resident owner himself to install plumbing within a single family dwelling or double dwelling unit, and

WHEREAS, a draft of such amendments has been prepared by the Building and Plumbing Department, NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held on the 11th day of April, 2017 at 7:00 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York for the purpose of considering the advisability of adopting Local Law Intro No. 2017-4, entitled "A Local Law to Amend the Building Construction Codes Administration Law ", and BE IT FURTHER

RESOLVED that the Town Clerk is hereby directed to publish the following Notice of Hearing in the CHEEKTOWAGA BEE.



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 11th day of April, 2017 at 7:00 P.M. at the Town Hall, 3301 Broadway in said Town of Cheektowaga to consider and discuss and, if need be, act upon the proposed enactment of Local Law Intro. No. 4 of 2017, entitled "A Local Law to Amend the Building

Construction Codes Administration Law". Following is a synopsis of the proposed Local Law Intro No. 4 of 2017:

Local Law Intro No. 4 of 2017

A Local Law to amend the Building Construction Codes Administration Law

Amend the Building Construction Codes Administration Law of the Town of Cheektowaga as follows:

- 1.. to amend Section 70-17 B changing Board member compensation to \$50.00 per meeting totaling no more than \$450.00 per year.
2. to amend Section 70-20 A making sewer contractors eligible to obtain a permit for plumbing work and allowing any persons who have successfully completed the NYS plumbers and pipefitters apprentice program to obtain a Masters or Journeyman license without taking an exam upon production of a Certificate of Completion from the NYS Department of Labor.
3. to amend Section 70-20 C to further define "sewer contract work" as "any storm, hot boxes/RPZ, sanitary sewer and water service up to 5 ft. of the building".
4. to amend Section 70-23I to allow a resident owner himself to install plumbing within a single family dwelling or double dwelling unit.

Dated: March 28, 2017

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

VICKIE L. DANKOWSKI
Town Clerk

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda Hammer, Councilmember
SECONDER:	Timothy J. Meyers, Councilmember
AYES:	Rogowski, Kaminski, Meyers, Hammer, Magierski
EXCUSED:	Diane Benczkowski, Christine Adamczyk

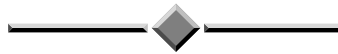


13. RESOLUTION 2017-197

A Call for Public Hearing to Amend Vehicle and Traffic Law

Sponsored By: Councilmember Hammer, Councilmember Meyers

BE IT RESOLVED, that a public hearing on proposed amendments to Chapter 235 (formerly Chapter 76) of the Code of the Town of Cheektowaga (Vehicle and Traffic) be held on April 11, 2017 at 7:00 P.M. at the Town Hall, 3301 Broadway St., Cheektowaga, New York for the purpose of considering the advisability of adopting said amendments, and the Town Clerk is hereby directed to publish the following Notice of Public Hearing in the CHEEKTOWAGA BEE, said amendments being set forth in said Notice of Hearing.



NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, 3301 Broadway St. in said Town of Cheektowaga on **April 11, 2017, at 7:00 P.M.** to consider the advisability of adopting amendments to Chapter 235 of the Code of the Town of Cheektowaga (Vehicle and Traffic); said proposed amendments being as follows:

- **ARTICLE II. Schedule VII: Stop Intersections**, shall be amended by **adding** thereto the following streets or parts of streets:

HIGHVIEW ROAD - West at Highview Road

- **ARTICLE IV. Schedule XI: Standing Prohibited in Designated Locations**, shall be amended by **deleting** therefrom the following streets or parts of streets:

LOSSON ROAD - South and north sides: 130 feet east and 180 feet west of the east and west curblines of Borden Road.

LOSSON ROAD - South side: from the west curpline of Benz Drive to a point 215 feet, plus or minus, west.

LOSSON ROAD - South side: from the west curpline of Transit Road to the east curpline of Benz Drive.

- **ARTICLE IV. Schedule XII: Stopping Prohibited in Designated Locations**, shall be amended by **deleting** therefrom the following streets or parts of streets:

LOSSON ROAD - North side: from the east curblineline of Stiglmeier Park Road to a point 350 feet Easterly therefrom.

LOSSON ROAD - North side: from the west curblineline of Stiglmeier Park Road to a point 350 feet westerly therefrom.

LOSSON ROAD - South side: from the east curblineline of Towers Boulevard to a point 350 feet Easterly therefrom.

LOSSON ROAD - South side: from the west curblineline of Towers Boulevard to a point 350 feet Westerly therefrom.

• **ARTICLE IV. Schedule XII: Stopping Prohibited in Designated Locations**, shall be amended by **adding** thereto the following streets or parts of streets:

LOSSON ROAD - North side: from east curblineline of Union Road (Northeast corner) to a point 615 feet east.

LOSSON ROAD - South side: from the east curblineline of Union Road (Southeast corner) to a point 650 feet east.

LOSSON ROAD - North side: from the east curblineline of Stiglmeier Park Road to a point 500 feet east.

LOSSON ROAD - North side: from the west curblineline of Stiglmeier Park Road to a point 500 feet west.

LOSSON ROAD - South side: from the west curblineline of Towers Boulevard to a point 500 feet west.

LOSSON ROAD - North side: from the east curblineline of Borden Road to a point 500 feet east.

LOSSON ROAD - North side: from the west curblineline of Borden Road to a point 500 feet west.

LOSSON ROAD - South side: from the west curblineline of Borden Road to a point 500 feet west.

LOSSON ROAD - North side: from the west curblineline of Transit Road to a point 1315 feet west.

LOSSON ROAD - South side: from the west curblineline of Benz Drive to a point 215 feet west.

LOSSON ROAD - South side: from the west curblineline of Transit Road to the east curblineline of Benz Drive.

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

CLOVER PLACE - North side: from the north curblineline of Clover Place (Union Road leg at the intersection of Clover Place and Evergreen Place) to the east curblineline of Pinehurst Avenue.

CLOVER PLACE - South Side: from the north curblineline of Clover Place (Union Road leg at the intersection of Clover Place and Evergreen Place) to a point 215 feet northwest.

LOSSON ROAD - South side: from the east curblineline of Towers Boulevard to a point 85 feet east.

LOSSON ROAD - South side: from the east curblineline of Borden Road to a point 135 feet east.

NORTHCREST AVENUE - North side: from east curblineline of Union Road to the curblineline at Orchard Place.

SOUTHCREST AVENUE - North side: from east curblineline of Union Road to the curblineline at Orchard Place.

ZURBRICK ROAD - South side: from Borden Road to Transit Road

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

CLOVER PLACE - South side: from the east curblineline of Pinehurst Avenue to a point 260+ feet northwest of the north curblineline of Clover Place at its intersection with Evergreen Place.

CLOVER PLACE - North side: from the south curblineline of Evergreen Place at its intersection with Clover Place to a point 260+ feet northwesterly.

NORTHCREST AVENUE - South side: from east curblineline of Union Road to west curblineline of Orchard Place.

SOUTH CREEK DRIVE - North side: from east curblineline Union Road to west curblineline of Nagel Drive. (DUPLICATE)

SOUTHCREST AVENUE - North side: from east curblineline of Union Road to west curblineline of Orchard Place.

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Linda Hammer, Councilmember
SECONDER: Timothy J. Meyers, Councilmember
AYES: Rogowski, Kaminski, Meyers, Hammer, Magierski
EXCUSED: Diane Benczkowski, Christine Adamczyk



14. RESOLUTION 2017-198

Notice to Bidders - Two New and Unused 2017 or Newer Chevrolet 3500 Regular Cab 4X4's with Carbon Steel Rigid Dump Bodies with Coal Chutes (Bid #2017-18)

Sponsored By: Councilmember Meyers, Councilmember Kaminski

WHEREAS, it is in order that bids be advertised for the purchase of two (2) new and unused 2017 or Newer Chevrolet 3500 Regular Cab 4x4's with Carbon Steel Rigid Dump Bodies with Coal Chutes, or equal, for use by the Sewer Maintenance 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 two (2) new and unused 2017 or Newer Chevrolet 3500 Regular Cab 4X4's with Carbon Steel Rigid Dump Bodies with Coal Chutes, or equal, said notice to be published in the CHEEKTOWAGA BEE, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 19th day of April, 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 April 19, 2017 at 11:00 am, at the Town Hall, corner of Broadway and Union Roads, for the purchase of two (2) new and unused 2017 or Newer Chevrolet 3500 Regular Cab 4X4's with Carbon Steel Rigid Dump Bodies with Coal Chutes, or equal, for use by the Sewer Maintenance Department.

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

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

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

Vickie Dankowski
Town Clerk
Bid #2017-18

DATED: March 28, 2017

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Timothy J. Meyers, Councilmember
SECONDER: Gerald Kaminski, Councilmember
AYES: Rogowski, Kaminski, Meyers, Hammer, Magierski
EXCUSED: Diane Benczkowski, Christine Adamczyk



15. RESOLUTION 2017-199

Notice to Bidders - Town Wide Hazardous Tree Removal (Bid #2017-21)

Sponsored By: Councilmember Rogowski, Councilmember Meyers

WHEREAS, it is in order that bids be advertised for Town Wide Hazardous Tree Removal in the Town of Cheektowaga, AND

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

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for Town Wide Hazardous Tree Removal in the Town of Cheektowaga, said notice to be published in the CHEEKTOWAGA BEE, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 19th day of April, 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 and considered by the Town Board of the Town of Cheektowaga on April 19, 2017 at 11:00 am, at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for Town Wide Tree Removal in the Town of Cheektowaga.

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

Proposals shall be submitted in a sealed envelope, plainly marked on the outside "Bid for Town Wide Tree Removal" and submitted to the Town Clerk prior to bid opening.

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

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

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

Vickie Dankowski
Town Clerk
Bid # 2017-21

DATED: March 28, 2017

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James P. Rogowski, Councilmember
SECONDER:	Timothy J. Meyers, Councilmember
AYES:	Rogowski, Kaminski, Meyers, Hammer, Magierski
EXCUSED:	Diane Benczkowski, Christine Adamczyk



16. RESOLUTION 2017-200

Notice to Bidders - 2017 Pool Maintenance Chemicals (Bid #2017-23)

Sponsored By: Councilmember Rogowski, Councilmember Meyers

WHEREAS, the Town of Cheektowaga Facilities Department, Parks Division, annually requires Pool Maintenance Chemicals for 2017 (Bid #2017-23), NOW, THEREFORE BE IT

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

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

RESOLVED, that sealed bids will be received on the 12th day of April, 2017 at 11:00 AM at a public bid opening to be held in the Council Chambers at Cheektowaga Town Hall.



Notice to Bidders

Sealed proposals will be received by the Town Clerk on April 12, 2017, at 11:00 AM at Town Hall, 3301 Broadway, for the furnishing of Pool Maintenance Chemicals for the year 2017 (Bid #2017-23).

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

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

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

Vickie L. Dankowski, Town Clerk

Dated: March 28, 2017

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James P. Rogowski, Councilmember
SECONDER:	Timothy J. Meyers, Councilmember
AYES:	Rogowski, Kaminski, Meyers, Hammer, Magierski
EXCUSED:	Diane Benczkowski, Christine Adamczyk



17. RESOLUTION 2017-201

Notice to Bidders - Furnishing & Installation of Trees along Town Highways (Bid #2017-24)

Sponsored By: Councilmember Rogowski, Councilmember Meyers

WHEREAS, it is in order that bids be advertised for the furnishing and installation of various trees to be planted along Town highways within the Town of Cheektowaga, AND

WHEREAS, the Engineering Department has prepared specifications for the aforesaid tree plantings, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the Furnishing and Installation of Trees along Town Highways, said notice to be published in the CHEEKTOWAGA BEE, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 19th day of April, 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 and considered by the Town Board of the Town of Cheektowaga on April 19, 2017 at 11:00 am, at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for the furnishing and installation of trees along Town highways within the Town of Cheektowaga.

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 and Installation of Trees along Town Highways" and submitted to the Town Clerk prior to bid opening.

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

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

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

Vickie Dankowski
Town Clerk

Bid # 2017-24

DATED: March 28, 2017

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James P. Rogowski, Councilmember
SECONDER:	Timothy J. Meyers, Councilmember
AYES:	Rogowski, Kaminski, Meyers, Hammer, Magierski
EXCUSED:	Diane Benczkowski, Christine Adamczyk



18. RESOLUTION 2017-202

Approve Agreement with Captains and Lieutenants Association for 2016-2019

Sponsored By: Meyers, Kaminski, Hammer, Magierski, Rogowski

WHEREAS, the collective bargaining agreement between the Town of Cheektowaga and the Cheektowaga Captains and Lieutenants Association, Inc. expired on December 31, 2015, AND

WHEREAS, the Town and the Cheektowaga Captains and Lieutenants Association, Inc. have negotiated and have agreed upon a successor agreement for Years 2016 through 2019; NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby accepts and approves the successor agreement with the Cheektowaga Captains and Lieutenants Association, Inc. for the term January 1, 2016 to December 31, 2019, as presented, and BE IT FURTHER

RESOLVED, that the Town Supervisor be and hereby is authorized to execute the respective collective bargaining agreement between the Town of Cheektowaga and the Cheektowaga Captains and Lieutenants Association, Inc.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Timothy J. Meyers, Councilmember
SECONDER:	Gerald Kaminski, Councilmember
AYES:	Rogowski, Kaminski, Meyers, Hammer, Magierski
EXCUSED:	Diane Benczkowski, Christine Adamczyk



19. RESOLUTION 2017-203

Authorize Supervisor to Sign Amendment No. 3 to the General Technical Services Agreement with URS Corporation - New York

Sponsored By: Councilmember Meyers, Councilmember Rogowski

WHEREAS, by resolution dated May 5, 2008 the Town Board authorized the Supervisor to execute a three (3) year agreement for General Technical Services with URS Corporation - New York to assist the Town in performing long term operation and maintenance (O&M) activities at the Pfohl Brothers Landfill Site as required under a Settlement Agreement between the Pfohl Brothers Site Steering Committee and the Town consistent with the Operation and Maintenance Plan approved by the New York State Department of Environmental Conservation, AND

WHEREAS, by resolution dated January 21, 2014 the term of the aforesaid Technical Services Agreement was subsequently extended to December 31, 2016 following the Town Board's acceptance of Contract Amendment No. 2, AND

WHEREAS, there is a need to continue to perform long term monitoring, operation and maintenance activities at the Pfohl Brothers Landfill Site and the Town Engineer has recommended that the aforesaid Technical Services Agreement, which expired on December 31, 2016, be extended in accordance with Amendment No. 3 to the May 5, 2008 General Technical Services Agreement, AND

WHEREAS, Amendment No. 3 provides for the extension of the aforesaid May 5, 2008 Agreement for calendar years 2017, 2018 and 2019, expiring on December 31, 2019, NOW, THEREFORE, BE IT

RESOLVED, that Amendment No. 3 to the General Technical Services Agreement dated May 5, 2008 providing for its extension for three (3) additional calendar years covering 2017, 2018 and 2019 and expiring on December 31, 2019, as recommended by the Town Engineer and reviewed by the Town Attorney, is approved and accepted, AND, BE IT FURTHER

RESOLVED, that the Supervisor is hereby directed and authorized to sign Amendment No. 3 to the General Technical Services Agreement with URS Corporation - New York, 257 West Genesee Street, Buffalo, New York 14202, AND, BE IT FURTHER

RESOLVED, that professional service fees shall be chargeable to Account No. 150-1910-5901.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Timothy J. Meyers, Councilmember
SECONDER:	James P. Rogowski, Councilmember
AYES:	Rogowski, Kaminski, Meyers, Hammer, Magierski
EXCUSED:	Diane Benczkowski, Christine Adamczyk



20. RESOLUTION 2017-204

Authorize Supervisor to Execute Grant Application for Police Department

Sponsored By: Councilmember Hammer, Councilmember Rogowski

WHEREAS, the United States Department of Justice offers a Bulletproof Vest Partnership grant that pays a maximum of fifty percent (50%) of the cost to purchase National Institute of Justice Body armor for Cheektowaga Police Officers, AND

WHEREAS, the Cheektowaga Police Department Police Officers are required to wear bulletproof vests in the performance of their duties and must replace their vests every five (5) years, AND

WHEREAS, necessary matching funds will be provided with funds from the Cheektowaga Police Department's budget line #100-3120-2501; NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Police Department be and hereby is authorized and directed to complete the necessary application and forms to be submitted for the purpose of securing this grant, AND BE IT FURTHER

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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda Hammer, Councilmember
SECONDER:	James P. Rogowski, Councilmember
AYES:	Rogowski, Kaminski, Meyers, Hammer, Magierski
EXCUSED:	Diane Benczkowski, Christine Adamczyk



21. RESOLUTION 2017-205

Authorize Supervisor to Execute Professional Services Agreement with M/E Engineering, P.C.

Sponsored By: Councilmember Meyers, Councilmember Rogowski

WHEREAS, by Town Board Resolution dated January 10, 2017, the firm of M/E Engineering, P.C. was engaged to perform a Facility Assessment Study of the existing HVAC systems located at the Alexander Community Center, 275 Alexander Avenue, AND

WHEREAS, said study dated February 10, 2017 identified the existing HVAC units were beyond their expected useful life and in need of replacement, AND

WHEREAS, the firm of M/E Engineering has provided a proposal for professional services to provide HVAC and electrical plans and specifications for the proposed replacement of the rooftop HVAC equipment and HVAC zoning modifications for purposes of bidding, NOW, THEREFORE, BE IT

RESOLVED, that the proposal of M/E Engineering, 60 Lakefront Boulevard, Suite 320, Buffalo, New York 14202, dated March 21, 2017 for professional services associated with HVAC and electrical plans and specifications for the proposed replacement of rooftop HVAC equipment and HVAC zoning modifications for a fee not to exceed \$27,170.00 be approved, AND, BE IT FURTHER

RESOLVED, that the proposal from M/E Engineering is hereby approved and accepted and the Supervisor be and hereby is authorized to execute said professional services agreement on behalf of this Town Board, AND, BE IT FURTHER

RESOLVED, that funding for said professional services shall be appropriated from Account #500-1440-9701-5123.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Timothy J. Meyers, Councilmember
SECONDER:	James P. Rogowski, Councilmember
AYES:	Rogowski, Kaminski, Meyers, Hammer, Magierski
EXCUSED:	Diane Benczkowski, Christine Adamczyk



22. RESOLUTION 2017-206

Retain Outside Counsel for Wireless Communications Matters

Sponsored By: Councilmember Rogowski, Councilmember Meyers

WHEREAS, periodically, the Town of Cheektowaga requires the services of outside legal counsel to assist and/or represent the Town with regard to various matters, and

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

WHEREAS, the firm of Berkman, Henoch, Peterson, Peddy & Fenchel, P.C., has expertise in the area of wireless telecommunications and has represented many municipalities regarding similar issues; and

WHEREAS, Berkman, Henoch, Peterson, Peddy & Fenchel, P.C. has submitted an engagement letter to the Town to provide these services; NOW, THEREFORE, BE IT

RESOLVED, that the firm of Berkman, Henoch, Peterson, Peddy & Fenchel, P.C., be and hereby is retained as outside counsel to assist the Town of Cheektowaga on an as-needed basis with respect to wireless telecommunications matters involving the Town, in accordance with its engagement letter dated March 8, 2017, at the rates listed in said letter, effective March 8, 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 is hereby authorized and directed to execute said engagement letter, subject to approval of the Town Attorney.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James P. Rogowski, Councilmember
SECONDER:	Timothy J. Meyers, Councilmember
AYES:	Rogowski, Kaminski, Meyers, Hammer, Magierski
EXCUSED:	Diane Benczkowski, Christine Adamczyk



23. RESOLUTION 2017-207

Renewal of Property Insurance, Contractors Equipment Insurance and Automobile Physical Damage Insurance

Sponsored By: Councilmember Meyers, Councilmember Rogowski

WHEREAS, the Town's Property Insurance, Contractors Equipment Insurance and Automobile Physical Damage Insurance Coverages is expiring on March 30, 2017, and

WHEREAS, Lawley Service, Inc., the Town's insurance broker, solicited quotations for the renewal of the these insurance coverages, and

WHEREAS, Lawley Service, Inc. has recommended that the Town of Cheektowaga accept the proposal from CNA Insurance Company for \$96,186.00 for the following listed options:

<u>Coverage</u>	<u>Limits</u>	<u>Deductible</u>
Buildings & Contents	\$89,044,868	\$ 25,000
Accounts Receivable	\$ 1,000,000	
Business Interruption	\$ 250,000	
Equipment Breakdown	\$ Included	\$ 25,000
Flood (non Flood Zones)	\$ 5,000,000	\$ 25,000
Earthquake	\$ 1,000,000	\$ 25,000

, and

WHEREAS, Lawley Service, Inc. has also recommended that the Town of Cheektowaga accept the proposal from Allianz Global for the following vehicle physical damage insurance for \$17,006.63:

<u>Limits</u>	<u>Deductible</u>
\$3,000,000	\$10,000

, and

WHEREAS, this Town Board wishes to award the above referenced Town's property insurance and Contractors Equipment Insurance to CNA Insurance Company; and Auto Physical Damage insurance to Allianz; NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby awards the Town's Property insurance and Contractors Equipment insurance as outlined above to CNA Insurance Company (through Lawley Service, Inc.) for the period from March 30, 2017 to March 30, 2018 for a premium of \$96,186.00; and BE IT FURTHER

RESOLVED, that this Town Board hereby awards the Town's Vehicle Physical Property Damage Insurance to Allianz Global (through Lawley Service, Inc.) for the period March 30, 2017 to March 30, 2018 to Allianz Global FOR \$17,006.63, and BE IT FURTHER

Resolved, that Lawley Service, Inc. be and hereby is/are directed to bind the above

referenced insurance coverages on behalf of the Town of Cheektowaga, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute any and all documents to effectuate this property insurance coverage.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Timothy J. Meyers, Councilmember
SECONDER:	James P. Rogowski, Councilmember
AYES:	Rogowski, Kaminski, Meyers, Hammer, Magierski
EXCUSED:	Diane Benczkowski, Christine Adamczyk



24. RESOLUTION 2017-208

Youth & Recreation Termination

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:

Gabrielle Padovani

8/4/16

14225

Motion by Councilmember Rogowski, Seconded by Councilmember Meyers to waive the reading of names for the following Resolutions: 2017-208, 2017-209, 2017-210. Motion Carried.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Gerald Kaminski, Councilmember
SECONDER: James P. Rogowski, Councilmember
AYES: Rogowski, Kaminski, Meyers, Hammer, Magierski
EXCUSED: Diane Benczkowski, Christine Adamczyk



25. RESOLUTION 2017-209

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 Attendant - 7140.1614 & 7140.1645 - \$9.70 - Regular Part-time

Jessica Woods 14225

Recreation Aide - 7140.1636 - \$9.70 - Part-time

Emily Pijacki 14227

Recreation Attendant - 7140.1636 - \$10.00 - Regular Part-time

Andrew Deeds 14211

Recreation Attendant - 7140.1636 - \$10.00 - Regular Part-time

Andrew Evenhouse 14225

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gerald Kaminski, Councilmember
SECONDER:	James P. Rogowski, Councilmember
AYES:	Rogowski, Kaminski, Meyers, Hammer, Magierski
EXCUSED:	Diane Benczkowski, Christine Adamczyk



26. RESOLUTION 2017-210

Hiring/Termination of Part-Time/Seasonal Employees

Sponsored By: Councilmember Meyers, Councilmember Rogowski

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:

JUSTICE COURT Clerk \$9.70/hour effective 3/29/17
Alayna Robbins, Cheektowaga, New York

JUSTICE COURT Clerk \$9.70/hour effective 3/29/17
Megan Fargino, Cheektowaga, New York

JUSTICE COURT Clerk \$15.00/hour effective 3/29/17
Nicole Pukalo, Cheektowaga, New York

POLICE DEPARTMENT Court Officer II (Competitive/Permanent) \$18.816/hour effective 4/1/17
Matthew J. Starr, Cheektowaga, New York

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

SANITATION DEPARTMENT
Kyle VanOverloop effective 3/15/17

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Timothy J. Meyers, Councilmember
SECONDER:	James P. Rogowski, Councilmember
AYES:	Rogowski, Kaminski, Meyers, Hammer, Magierski
EXCUSED:	Diane Benczkowski, Christine Adamczyk



27. RESOLUTION 2017-211

Appointment of Senior Sewer Maintenance Worker (Non-Competitive/Permanent) James Siejak

Sponsored By: Councilmember Meyers, Councilmember Rogowski

WHEREAS, James Siejak was appointed by this Town Board to the position of Sewer Maintenance Worker effective November 17, 2015; AND

WHEREAS, Mr. Siejak has successfully completed eighteen (18) months in the title and is eligible to be promoted to the position of Senior Sewer Maintenance Worker; NOW, THEREFORE, BE IT

RESOLVED, that James Siejak of Cheektowaga, New York be and hereby is appointed to the position of Senior Sewer Maintenance Worker in the Sewer Maintenance Division under the terms and conditions of the bargaining agreement between the Town and the Town of Cheektowaga Employees Association effective April 1, 2017.

RESULT:	WITHDRAWN
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28. RESOLUTION 2017-212

Appointment of Park Maintenance Worker I (Labor/Permanent) Facilities Department Steven LeRoy

Sponsored By: Councilmember Meyers, Councilmember Rogowski

WHEREAS, a vacancy exists in the title of Park Maintenance Worker I in the Facilities Department (Parks Division); 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, Steven LeRoy, currently employed as a Laborer in the Sewer Department, bid on said vacancy and meets the necessary qualifications for appointment; NOW, THEREFORE BE IT

RESOLVED, that Steven LeRoy of Cheektowaga, New York be and hereby is appointed to the 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 March 29, 2017.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Timothy J. Meyers, Councilmember
SECONDER:	James P. Rogowski, Councilmember
AYES:	Rogowski, Kaminski, Meyers, Hammer, Magierski
EXCUSED:	Diane Benczkowski, Christine Adamczyk



29. RESOLUTION 2017-213

Appointment of Cleaner (Labor/Permanent) Facilities Department Christopher O'Neill

Sponsored By: Councilmember Meyers, Councilmember Rogowski

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

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

WHEREAS, no bargaining unit member bid on said vacancy; AND

WHEREAS, Christopher O'Neill of Depew, New York applied for said vacancy and meets the necessary qualifications for appointment; NOW, THEREFORE BE IT

RESOLVED, that Christopher O'Neill of Depew, New York be and hereby is appointed to the position of Cleaner 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 March 29, 2017.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Timothy J. Meyers, Councilmember
SECONDER:	James P. Rogowski, Councilmember
AYES:	Rogowski, Kaminski, Meyers, Hammer, Magierski
EXCUSED:	Diane Benczkowski, Christine Adamczyk



30. RESOLUTION 2017-214

Travel Authorization (Police Department)

Sponsored By: Councilmember Hammer, Councilmember Kaminski

WHEREAS, the 2017 National Homeland Security Conference is being held June 6-8, 2017 in Buffalo, New York; AND

WHEREAS, Assistant Chief James Speyer and Captain Michael Sliwinski have been recommended to attend said training; AND

WHEREAS, 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 \$1,060.00; AND

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

RESOLVED, that Assistant Chief James Speyer and Captain Michael Sliwinski be and hereby are authorized to attend the 2017 National Homeland Security Conference being held June 6-8, 2017 in Buffalo, New York.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda Hammer, Councilmember
SECONDER:	Gerald Kaminski, Councilmember
AYES:	Rogowski, Kaminski, Meyers, Hammer, Magierski
EXCUSED:	Diane Benczkowski, Christine Adamczyk



31. RESOLUTION 2017-215

Travel Authorization (Police Department)

Sponsored By: Councilmember Hammer, Councilmember Magierski

WHEREAS, the Statewide Motor Vehicle Theft and Insurance Fraud Advisory Group Annual Meeting is being held April 18-19, 2017 in Saratoga Springs, New York; AND

WHEREAS, Lieutenant Thomas Wentland has been recommended to attend said training; AND

WHEREAS, 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 \$327.00; AND

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

RESOLVED, that Lieutenant Thomas Wentland be and hereby is authorized to attend the Statewide Motor Vehicle Theft and Insurance Fraud Advisory Group Annual Meeting being held April 18-19, 2017 in Saratoga Springs, New York.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda Hammer, Councilmember
SECONDER:	Alice Magierski, Councilmember
AYES:	Rogowski, Kaminski, Meyers, Hammer, Magierski
EXCUSED:	Diane Benczkowski, Christine Adamczyk



32. RESOLUTION 2017-216

Travel Authorization (Police Department)

Sponsored By: Councilmember Hammer, Councilmember Meyers

WHEREAS, a Cyber Bootcamp and Advanced Network Investigation course is being held March 27-April 8, 2017 in Baltimore, Maryland and San Antonio, Texas; AND

WHEREAS, Detective Joseph Crean has been recommended to attend said training; AND

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

WHEREAS, there is no cost to the Town; NOW, THEREFORE, BE IT

RESOLVED, that Detective Joseph Crean be and hereby is authorized to attend the Cyber Bootcamp and Advanced Investigation course being held March 27-April 8, 2017 in Baltimore, Maryland and San Antonio Texas.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda Hammer, Councilmember
SECONDER:	Timothy J. Meyers, Councilmember
AYES:	Rogowski, Kaminski, Meyers, Hammer, Magierski
EXCUSED:	Diane Benczkowski, Christine Adamczyk



33. RESOLUTION 2017-217

Travel Authorization (Police Department)

Sponsored By: Councilmember Hammer, Councilmember Rogowski

WHEREAS, the National Association of School Resource Officers Advanced School Resource Officer Course is being held April 17-19, 2017 in Cheektowaga, New York; AND

WHEREAS, Police Officers Dominic Schwartz, Jeffrey Fial, and Dennis Kusak have been recommended to attend said training; AND

WHEREAS, 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 \$1,185.00; AND

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

RESOLVED, that Police Officers Dominic Schwartz, Jeffrey Fial, and Dennis Kusak be and hereby are authorized to attend the National Association of School Resource Officers Advanced School Resource Officer Course being held April 17-19, 2017 in Cheektowaga, New York.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda Hammer, Councilmember
SECONDER:	James P. Rogowski, Councilmember
AYES:	Rogowski, Kaminski, Meyers, Hammer, Magierski
EXCUSED:	Diane Benczkowski, Christine Adamczyk



34. RESOLUTION 2017-218

Travel Authorization (Building & Plumbing Department)

Sponsored By: Councilmember Meyers, Councilmember Hammer

WHEREAS, the New York State Code Enforcement Basic Training Program is being held April 25-27, 2017, May 30-June 1, 2017, June 27-29, 2017, and August 8-10, 2017 at the Erie County Fire Training Academy; AND

WHEREAS, part-time Assistant Code Enforcement Officers Nicholas Cultrara, Robert Latshaw, and Walter Weishaupt have been recommended to attend said training; 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, there is no cost to the Town; NOW, THEREFORE, BE IT

RESOLVED, that part-time Assistant Code Enforcement Officers Nicholas Cultrara, Robert Latshaw, and Walter Weishaupt be and hereby are authorized to attend the New York State Code Enforcement Basic Training Program being held April 25-27, 2017, May 30-June 1, 2017, June 27-29, 2017, and August 8-10, 2017 at the Erie County Fire Training Academy.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Timothy J. Meyers, Councilmember
SECONDER:	Linda Hammer, Councilmember
AYES:	Rogowski, Kaminski, Meyers, Hammer, Magierski
EXCUSED:	Diane Benczkowski, Christine Adamczyk

X. Communications

A. Departmental Communications

1. Minutes: Cheektowaga Planning Board - March 9, 2017

B. General Communications

1. Notice of Claim: Steven T. Smith vs. Town of Cheektowaga
2. Notice of Claim: Robert Paul Wardzala vs. Town of Cheektowaga
3. Summons and Complaint: Nicholas DeSantis vs. Town of Cheektowaga et al.

4. Buffalo Niagara Coalition for Open Government - Website Report Card - March 15, 2017**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

Meeting closed with a moment of silence for Kelly Benczkowski and Mr. Janiszewski.

Motion by Councilmember Hammer, Seconded by Councilmember Magierski to adjourn the meeting at 8:40 PM.

Vickie L. Dankowski

Town Clerk