



# Town of Cheektowaga

## Regular Meeting

~ Minutes ~

Cheektowaga, NY 14227

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

Vickie L. Dankowski  
716-686-3434

Tuesday, August 8, 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 August 8, 2017 at Council Chambers, 3301 Broadway, Cheektowaga, NY.

Attendee Name	Organization	Title	Status	Arrived
Diane Benczkowski	Town of Cheektowaga	Supervisor	Present	
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	Excused	
Linda Hammer	Town of Cheektowaga	Councilmember	Present	
Alice Magierski	Town of Cheektowaga	Councilmember	Present	

#### 2. Additional Attendees

Patrick Bowen, Town Engineer  
Brian Krause, Director of Finance and Administration  
Karen Marchese, Coordinator of Employee Relations  
Jill Oxley, Assessor  
John Dudziak, Town Attorney

### V. Recognition

### VI. Approve Minutes

Motion by Councilmember Meyers, Seconded by Councilmember Hammer to approve the minutes. Motion Carried.

### VII. Public Comment Period

***Pursuant to Town Policy adopted April 18, 1994, this is an opportunity for residents to comment on items appearing on the AGENDA of the Town Board meeting. The public comment period should last 15***

***minutes maximum. Each speaker may speak only once. Each speaker shall be limited to a maximum of 3 minutes speaking time.***

## **VIII. From the Table**

**1. Resolution 2017-435**

Adopt Local Law No. 3 of the Year 2017 - A Local Law Relating to a Tax Exemption for Reconstructed, Altered or Improved 1, 2 & 3 Family Residences

## **IX. Resolutions**

**1. Resolution 2017-454**

Transfer of Funds

**2. Resolution 2017-455**

Warrant

**3. Resolution 2017-456**

Amendment - Accept Site Plan- 35,45 & 101 French Road Garden Village Plaza Redevelopment - Modification of Condition Number 9.

**4. Resolution 2017-457**

Approval of Change Order No. 1 - Professional Services for Traffic Signal Improvements

**5. Resolution 2017-458**

Approval of Change Order No. 3 - Concrete Installation

**6. Resolution 2017-459**

Approval of Change Order No. 4 - Concrete Installation

**7. Resolution 2017-460**

Approval of Change Order No. 1 (Final) Town Records Center

**8. Resolution 2017-461**

Award of Bid - Entry Gate at the Firing Range

**9. Resolution 2017-462**

Award of Bid for Demolition and Asbestos Abatement of 17 Yvette Drive (BID 2017-28 LAW)

**10. Resolution 2017-463**

Accept Proposal for Variable Frequency Drive (VFD) Installation at the Roycroft Pump Station

**11. Resolution 2017-464**

Call for Public Hearing - Rezoning Request - 4714,4720 &4728 Transit Road

**12. Resolution 2017-465**

Call for Public Hearing Local Law Intro No. 2017-8 of the Year 2017 - A Local Law to Amend and Replace Peddling and Soliciting Law

**13. Resolution 2017-466**

Notice to Bidders - Reroofing the Julia Boyer Reinstein Library (Bid #2017-31)

**14. Resolution 2017-467**

Approve Purchase of One (1) 14' Dump Body, Sides-54 Gate

**15. Resolution 2017-468**

Authorize Supervisor to Execute Agreement with Erie County Water Authority for Waterline Replacement Along Woodbine Pl. and Evergreen Pl.

**16. Resolution 2017-469**

Authorize Supervisor to execute Municipal Cooperation Agreement For The Sharing Of Attorneys To Defend Assessment Challenges

**17. Resolution 2017-470**

SPECIAL EVENT - Infant of Prague Church Lawn Fete

**18. Resolution 2017-471**

SPECIAL EVENT - Federation of German-American Societies

**19. Resolution 2017-472**

SPECIAL EVENT - Energy for Life Walkathon

**20. Resolution 2017-473**

SPECIAL EVENT - Cheektowaga Police Charity Softball Tournament

**21. Resolution 2017-474**

Hiring/Termination of Part-Time/Seasonal Employees

**22. Resolution 2017-475**

Appointment of Electrician (Non-Competitive/Permanent) Facilities Department (Building and Grounds Division) David Saskowski

**23. Resolution 2017-476**

Appointment of Motor Equipment Operator - B (Non-Competitive/Permanent) Sanitation Department/Marc P. Beang

**24. Resolution 2017-477**

Travel Authorization Building & Plumbing Department

## **X. Suspension of Rules**

Motion by Councilmember Rogowski, Seconded by Councilmember Hammer to waive the rules to include the following Resolution: 2017-478. Motion Carried.

1. **Resolution 2017-478**  
Satisfaction of Mortgage - Accept Settlement Proposal

## **XI. Communications**

### ***A. Departmental Communications***

1. **Supervisor's Statement of Funds: May 2017**
2. **Supervisor's Statement of Funds: June 2017**
3. **Minutes: Cheektowaga Conservation Advisory Council - July 7, 2017**

### ***B. General Communications***

1. **Request to Speak: Kim Spence, 51 Bahama Lane Cheektowaga NY - Concern of water problems on Bahama Lane**
2. **Notice of Claim: Brian Botens vs. Town of Cheektowaga**
3. **Notice of Claim: William Martin vs. Town of Cheektowaga**
4. **Summons and Complaint: Kathleen Czerniejewski vs. Town of Cheektowaga**
5. **Summons: Wells Fargo Bank, N.A. vs. Marie Osika a/k/a Marie T. Osika, Town of Cheektowaga, Etal Premises: 116 Autumn Lea Road**
6. **Notice of Petition: 80 Sonwil, LLC vs. Town of Cheektowaga**
7. **Notice of Petition: 3100 Genesee Street, LLC vs. Town of Cheektowaga**
8. **Notice of Petition: 3500 Genesee Associates, LLC vs. Town of Cheektowaga**
9. **Notice of Petition: 3770 Union Road, LLC a/k/a North Brunswick Route 1, LLC vs. Town of Cheektowaga**
10. **Notice of Petition: 5579 East River Road, LLC vs. Town of Cheektowaga**
11. **Notice of Petition: ATA Associates vs. The Board of Assessment Review for the Town of Cheektowaga, the Assessor of the Town of Cheektowaga and the Town of Cheektowaga, New York**
12. **Notice of Petition: Bhavani Group, Inc. vs. Town of Cheektowaga**
13. **Notice of Petition: Margaret M. Brezowski vs Town of Cheektowaga**
14. **Notice of Petition: Buffalo WVP Associates, LLC vs. The Town of Cheektowaga, New York and its Assessor and Board of Assessment Review**
15. **Notice of Petition: John C. Deinhart vs. Town of Cheektowaga**
16. **Notice of Petition: Derrick Corporation/Vacant vs. Town of Cheektowaga**

17. **Notice of Petition: Derrick Corporation vs. Town of Cheektowaga**
18. **Notice of Petition: G&I IX Empire Thruway Plaza, LLC c/o Wal-Mart Real Estate Trust vs. Board of Assessment Review and/or Assessor of the Town of Cheektowaga and the Town of Cheektowaga, County of Erie, New York**
19. **Notice of Petition: Garden Village vs. Town of Cheektowaga**
20. **Notice of Petition: Goldi Group, Inc. vs. Town of Cheektowaga**
21. **Notice of Petition: HD Development of Maryland Inc. vs. Board of Assessment Review and/or Assessor of the Town of Cheektowaga and the Town of Cheektowaga, County of Erie, New York**
22. **Notice of Petition: Idylwood LLC and Morgan Management for itself and as agent-in-fact for Idylwood LLC vs. The Board of Assessment Review for the Town of Cheektowaga; the Assessor of the Town of Cheektowaga and the Town of Cheektowaga, New York**
23. **Notice of Petition: Idylwood Land Corp. vs. Board of Assessment Review and Assessor of the Town of Cheektowaga and the Town of Cheektowaga**
24. **Notice of Petition: Ingersoll Rand Company vs. The Assessor for the Town of Cheektowaga, the Board of Assessment Review for the Town of Cheektowaga and the Town of Cheektowaga in the County of Erie, New York**
25. **Notice of Petition: Ingersoll Rand Company vs. The Assessor for the Town of Cheektowaga, the Board of Assessment Review for the Town of Cheektowaga and the Town of Cheektowaga in the County of Erie, New York**
26. **Notice of Petition: Intelligent Financial Systems F/K/A P. Ledoux, Inc. vs. Town of Cheektowaga**
27. **Notice of Petition: KQ Bell Towers of Erie LLC and MM Bell Towers of Erie LLC vs. Board of Assessment Review and Assessor of the Town of Cheektowaga and the Town of Cheektowaga**
28. **Notice of Petition: Kabir's LLC vs. Town of Cheektowaga**
29. **Notice of Petition: Daniel and Pamela Koscielny vs. Town of Cheektowaga**
30. **Notice of Petition: LoVullo Associates, Inc. & Marauder Enterprises LLC vs. Town of Cheektowaga**
31. **Notice of Petition: M & A United, Inc. vs. Town of Cheektowaga**
32. **Notice of Petition: James A. Maguire, Jr. vs. The Board of Assessment Review for the Town of Cheektowaga; the Assessor of the Town of Cheektowaga and the Town of Cheektowaga, New York**
33. **Notice of Petition: McDonald's USA, LLC vs. Town of Cheektowaga**
34. **Notice of Petition: Montante Properties LLC a/k/a 3959 Union Road vs. Town of Cheektowaga**
35. **Notice of Petition: Tyson R. Prince vs. Town of Cheektowaga**

36. Notice of Petition: RMF Holding, Inc. vs. Town of Cheektowaga
37. Notice of Petition: Rite Aid Corporation/Eckerd Corporation vs. Town of Cheektowaga Board of Assessment Review and Assessor of the Town of Cheektowaga and the Town of Cheektowaga, Erie County, New York
38. Notice of Petition: Matt Robel vs. Town of Cheektowaga
39. Notice of Petition: Rotor Motion, Inc. vs. Town of Cheektowaga
40. Notice of Petition: Sonwil Real Estate Inc. a/k/a 50-60 Sonwil Drive vs. Town of Cheektowaga
41. Notice of Petition: Sonwil Real Estate Inc. a/k/a 100 Sonwil Drive vs. Town of Cheektowaga
42. Notice of Petition: Sonwil Distribution Center a/k/a 150 Sonwil Drive vs. Town of Cheektowaga
43. Notice of Petition: Sonwil Distribution Center a/k/a 200 Sonwil Drive vs. Town of Cheektowaga
44. Notice of Petition: Sonwil Distribution Center Inc. a/k/a 250 Sonwil Drive vs. Town of Cheektowaga
45. Notice of Petition: Urbandale Development vs. Town of Cheektowaga
46. Notice of Petition: Walmart Real Estate Business Trust #6673 vs. Board of Assessment Review and/or Assessor of the Town of Cheektowaga and the Town of Cheektowaga, County of Erie, New York
47. Notice of Petition: Williamstowne Senior Apartments vs. Town of Cheektowaga

## **XII. Comments**

### ***A. Supervisor's Comments***

### ***B. Councilmember's Comments***

### ***C. Public Comments***

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

## **XIII. Adjournment**

Motion by Councilmember Hammer, Seconded by Councilmember Meyers to enter into Executive Session at 8:10 PM. Motion Carried.