



Town of Cheektowaga

Regular Meeting

~ Minutes ~

Cheektowaga, NY 14227

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

Vickie L. Dankowski
716-686-3434

Tuesday, June 27, 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 June 27, 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	Present	
Linda Hammer	Town of Cheektowaga	Councilmember	Present	
Alice Magierski	Town of Cheektowaga	Councilmember	Present	

2. Additional Attendees

Patrick Bowen, Town Engineer
Robert Brandon, Zoning Board Chairman
Jillian Gorman-King, Executive Director - Youth Board
Brian Krause, Director of Finance and Administration
Karen Marchese, Coordinator of Employee Relations
Jill Oxley, Assessor
Kerry Peek, Senior Services Director
Kevin Schenk, Town Attorney
Mark Wegner, Highway Superintendent
Richard Willis, Director of Community Development

V. Recognition

VI. Approve Minutes

Motion by Councilmember Adamczyk, Seconded by Councilmember Meyers 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. Public Hearings

1. **Local Law Intro No. 2017-6 of the Year 2017 - Adopt a Tax Exemption for Reconstructed, Altered or Improved 1, 2 or 3 Family Residences**

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: Diane Benczkowski, Supervisor
SECONDER: Linda Hammer, Councilmember
AYES: Benczkowski, Rogowski, Kaminski, Meyers, Adamczyk, Hammer, Magierski

2. **Local Law Intro No. 2017-7 of the Year 2017 To Amend the Taxicabs 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: Timothy J. Meyers, Councilmember
AYES: Benczkowski, Rogowski, Kaminski, Meyers, Adamczyk, Hammer, Magierski

IX. Presentation

X. Resolutions



1. RESOLUTION 2017-387

Transfer of Funds

Sponsored By: Councilmember Meyers, Supervisor Benczkowski

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

CDBG

FROM:	700.1014.0603	Environmental Hazard Testing	\$9,913.12
	700.1014.0726	Public Information	9,585.30
	700.1015.0600	Housing Rehab.-Single Family	2,693.99
	700.1015.0728	Sump Pump Grant	11,500.00
	700.1015.0734	Emergency Program	40,667.00
	700.1015.0735	Handicap Accessibility	2,700.00
	700.1015.0736	1 st Time Home Buyer Assistance	10,000.00
	700.1015.0752	Rehab Activity Delivery Costs	5,116.02
	700.1016.0600	Housing Rehab.-Single Family	13,089.00
	700.1016.0703	Administration	48,251.19
	700.1016.0706	Housing Counseling	5,409.10
	700.1016.0708	Weatherization	7,788.76
	700.1016.0728	Sump Pump Grant	12,000.00
	700.1016.0730	Inflow & infiltration Grant	99,000.00
	700.1016.0734	Emergency Program	54,000.00
	700.1016.0735	Handicap Accessibility	6,000.00
	700.1016.0736	1 st Time Home Buyer Assistance	10,000.00
	700.1016.0752	Rehab Activity Delivery Costs	223,869.00
	700.5014.0662	Depew-Drainage & Sewer Improvements	3,373.52
	700.5015.0711	Depew-Senior Center Carpeting	44.00
TO:	700.1014.0300	Drainage & Road Improvements	\$22,871.94
	700.1015.0300	Drainage & Road Improvements	72,721.01
	700.1016.0300	Drainage & Road Improvements	19,407.05
	700.1016.0500	Sidewalk Replacement	460,000.00

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



2. RESOLUTION 2017-388

Warrant

Sponsored By: Supervisor Benczkowski, Councilmember Meyers

BE IT RESOLVED, that the following Vouchers & Warrants submitted to the Town of Cheektowaga prior to June 27, 2017 are hereby approved and made part hereof;

GENERAL FUND	\$519,512.25
RISK RETENTION FUND	176,829.76
NYS HOME PROGRAM	0.00
DEBT	0.00
HUD HOUSING REHABILITATION FUND	650.00
SPECIAL DISTRICTS FUND	3,950,619.59
HIGHWAY FUND	1,436,808.23
CAPITAL FUND	766,784.48
TRUST & AGENCY FUND	4,629.80
HUD CDBG FUND	152,153.52
PART TOWN FUND	1,617.36
NYS AFFORDABLE HOUSING	950.00
	<hr/>
	\$7,010,554.99

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



3. RESOLUTION 2017-389

Adoption of Amendments to Vehicle and Traffic Law

Sponsored By: Councilmember Hammer, Councilmember Meyers

WHEREAS, this Town Board held a public hearing on April 11, 2017 to consider the advisability of adopting proposed amendments to Chapter 235 of the Code of the Town of Cheektowaga (Vehicle and Traffic), said hearing being held in accordance with Notice thereof which was duly published as required by law, at which hearing an opportunity to be heard was afforded all persons interested in the subject thereof,

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1.

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

• **ARTICLE 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 curblines of Benz Drive to a point 215 feet, plus or minus, west.

LOSSON ROAD - South side: from the west curblines of Transit Road to the east curblines 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 curblines 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 curblin of Clover Place (Union Road leg at the intersection of Clover Place and Evergreen Place) to the east curblin of Pinehurst Avenue.

CLOVER PLACE - South Side: from the north curblin 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 curblin of Towers Boulevard to a point 85 feet east.

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

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

SOUTHCREST AVENUE - North side: from east curblin of Union Road to the curblin 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 curblin of Pinehurst Avenue to a point 260+ feet northwest of the north curblin of Clover Place at its intersection with Evergreen Place.

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

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

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

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

Section 2. Time to take effect

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

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

Section 3. Territorial Application

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

Section 4. Publication

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

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



4. RESOLUTION 2017-390

Notice to Bidders - Firing Range Improvements (Bid #2017-27)

Sponsored By: Councilmember Adamczyk, Councilmember Hammer

WHEREAS, the preparation of plans and specifications for the Firing Range Shelter on Scott Place in the Town of Cheektowaga have been completed by the Project Engineering Consulting firm of Popli Design Group, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for Firing Range Improvements, 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 July, 2017 at 11:00 am at a public bid opening conducted by the Town Clerk in the Council Chambers in the Cheektowaga Town Hall.

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the **19th day of July, 2017 at 11:00 am** in the Town Hall, 3301 Broadway, Cheektowaga, New York for furnishing all labor, materials, tools, equipment and incidentals required for **General Construction Work for Firing Range Improvements**, complete in place and ready for use in accordance with the Contract Documents, therefore, including Plans, Specifications, Instructions to Bidders, etc. prepared by Popli Design Group and approved by the Town Board of the Town of Cheektowaga.

All bids must be enclosed in a separate, sealed envelope and shall be addressed to the Town Clerk of the Town of Cheektowaga, Town Hall, 3301 Broadway, Cheektowaga, New York 14227 and marked "Firing Range Improvements".

Copies of the Contract Documents (Plans, Specifications and Instructions to Bidders) may be examined at the Town of Cheektowaga Engineering Department, 275 Alexander Avenue, Cheektowaga, New York 14211 and at the Office of the Town Clerk, 3301 Broadway, Cheektowaga, New York 14227. Copies of the Contract Documents may be purchased at the **Office of the Town Clerk upon payment of \$50.00 per set** in the form of one (1) check made payable to the **Town of Cheektowaga**.

Any bidder returning such Plans and Specifications in good condition within 30 days following the award of the contract or the rejection of the bids will be refunded the full amount of the deposit. Deposit(s) will not be refunded for non-bidders. Material suppliers and anyone returning the Plans and Specifications before the bid opening will be classed as

non-bidders. Any bidders requesting more than one (1) set of Plans and Specifications may purchase the excess, but it is understood that they are non-refundable.

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

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

A pre-bid meeting will be held at 10:00 am on July 6, 2017 at the Town of Cheektowaga Firing Range located at the end of Scott Place, Cheektowaga, New York. Attendance at this meeting is recommended, but is not mandatory.

BY ORDER OF: THE TOWN OF CHEEKTOWAGA

Vickie Dankowski
Town Clerk

DATED: June 27, 2017

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



5. RESOLUTION 2017-391

Authorize Purchase of a Used Electric Vehicle

Sponsored By: Supervisor Benczkowski, Councilmember Meyers

WHEREAS, this Town Board is desirous of purchasing an electric vehicle to assist the Town of Cheektowaga in being designated as a Clean Energy Community, and

WHEREAS, the General Crew Chief of the Central Garage solicited quotes from automotive dealerships for a used electric vehicle, and

WHEREAS, West Herr Chevrolet of Williamsville submitted the lowest bid for a 2012 Nissan Leaf vehicle for a cost of \$8,094.00, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board desires to purchase this 2012 Nissan Leaf vehicle, and BE IT FURTHER

RESOLVED, that the Supervisor and General Crew Chief of the Central Garage be and hereby are authorized and directed to execute and process any and all paperwork necessary for the purchase of said vehicle, and BE IT FURTHER

RESOLVED, that funding for the purchase of this vehicle shall be appropriated from budget line item 100.1640.2502.

RESULT:	WITHDRAWN
----------------	------------------



6. RESOLUTION 2017-393

Approve Health Insurance Plan

Sponsored By: Supervisor Benczkowski, Councilmember Meyers

WHEREAS, the Town of Cheektowaga is self insuring its health insurance with Blue Cross Blue Shield as the administrator, NOW THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the contents of the one (1) year administrative health insurance contract with Blue Cross Blue Shield, and BE IT FURTHER

RESOLVED, that this contract shall be effective as of August 1, 2017, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the contract with Blue Cross Blue Shield, and any and all other documents necessary to effectuate the insurance coverage called for under such contract.

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



7. RESOLUTION 2017-392

Approve Purchase of One (1) New and Unused 2017 Kubota ZD1011-48 Lawn Tractor

Sponsored By: Councilmember Meyers, Councilmember Kaminski

WHEREAS, the Sewer Maintenance Department is in need of a Kubota ZD1011-48 Lawn Tractor for use at the Sewer Maintenance Complex and remote Pump Station properties, AND

WHEREAS, pursuant to Section 103 (16) of the General Municipal Law of the State of New York, the Town of Cheektowaga can purchase equipment through the use of contract let by an agency of any state if said agency let its contract to the lowest responsible bidder or on the basis of best value consistent with the NYS General Municipal law, AND

WHEREAS, the National Joint Powers Alliance, and agency created by Minnesota State Law, let a contract for the purchase of a Kubota ZD1011-48 Tractor to Niagara Implement Inc., 2337 Lockport-Olcott Road, Newfane, NY 14108, AND

WHEREAS, said contract was let to the lowest responsible bidder, and included in said contract was a section providing that said equipment was made available to the other governmental entities, including the Town of Cheektowaga, AND

WHEREAS, funds for said purchase have been budgeted and are available under account number 255.8125.2550, NOW THEREFORE BE IT,

RESOLVED, that the Town Board hereby approves the purchase of One (1) New and Unused 2017 Kubota ZD1011-48 Lawn Tractor for use by the Sewer Maintenance Department as per the terms of National Joint Power Alliance at the cost of \$10,119.72.

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



8. RESOLUTION 2017-394

Purchase of Excess Liability Insurance

Sponsored By: Councilmember Meyers, Supervisor Benczkowski

WHEREAS, the Town of Cheektowaga is a self funded insurer for liability claims, and

WHEREAS, the Town presently has excess liability insurance which expires on June 30, 2017, and

WHEREAS, the Town Board requested Lawley Insurance to solicit proposals for excess liability insurance coverage for 2017-18, and

WHEREAS, after review of the proposals received, Lawley recommended that the Town of Cheektowaga accept the proposal from Travelers Insurance Company for \$11,000,000 excess liability insurance coverage (with \$1,000,000 retention/deductible), and

WHEREAS, with the increase in litigation and the increase in the size of judgments being awarded, this Board feels that it is prudent to continue to purchase Excess Liability Insurance coverage, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby awards the Excess Liability Insurance coverage in the amount of \$11,000,000 (with \$1,000,000 retention/deductible) to Travelers Insurance Company (through Lawley Service, Inc.) for an annual premium of \$191,686 for the period July 1, 2017 to June 30, 2018, and BE IT FURTHER

RESOLVED, that payment for said insurance premium shall be appropriated from budget line item number 101.1710.4101, 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 [5 TO 2]
MOVER:	Timothy J. Meyers, Councilmember
SECONDER:	Diane Benczkowski, Supervisor
AYES:	Benczkowski, Meyers, Adamczyk, Hammer, Magierski
NAYS:	James P. Rogowski, Gerald Kaminski



9. RESOLUTION 2017-395

Authorize Supervisor to Sign Agreement with O'Connell Electric Company, Inc. for Photovoltaic System Inspection & Maintenance

Sponsored By: Councilmember Meyers, Councilmember Kaminski

WHEREAS, the Town operates four (4) solar energy photovoltaic rooftop systems located at the Town Hall, Highway Garage, Facilities Maintenance Garage and at the Main Pump Station, AND

WHEREAS, in order to ensure optimal system performance and energy output, minimize disruptions and to ensure that the equipment and system components perform as required, the Town Engineer has recommended that the Town renew a Preventative Maintenance Contract, NOW, THEREFORE, BE IT

RESOLVED, that the proposal of O'Connell Electric Company, Inc., 830 Phillips Road, Victor, New York 14564, dated June 19, 2017 for photovoltaic system inspection and maintenance, deviation alert monitoring and solar module cleaning, to renew on June 1, 2017 and end on May 31, 2018 is accepted and approved, AND, BE IT FURTHER

RESOLVED, that the Supervisor, on behalf of this Town Board, is hereby directed and authorized to sign the agreement with O'Connell Electric Company, Inc., and the fee per site in the amount of \$1,250.00 shall be chargeable to the following utility accounts:

Highway	100-5132-4211
Facilities	100-7110-4217
Town Hall	100-1625-4217
Main Pump Station	255-8135-4217

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



10. RESOLUTION 2017-396

Agreement with Polish Community Center of Buffalo, Inc. d/b/a Lt. Col. Matt Urban Human Services Center of WNY – Patrick Lane Easterly Part of SBL #92.18-7-65

Sponsored By: Supervisor Benczkowski, Councilmember Hammer

WHEREAS, the Town receives federal HUD HOME funds for the purpose of acquiring and constructing new homes, AND

WHEREAS, the Town currently owns vacant land in a HUD designated residential low/moderate income neighborhood on the east side of Patrick Lane between Meadowlawn Road and Lydia Lane in the Town of Cheektowaga, which has been vacant for many years and would like to use it for construction and sale of two new homes (new addresses to be determined) to income-eligible persons or families, AND

WHEREAS, HUD regulations allow the Town to contract with a qualified Community Housing Development Organization (CHDO) to carry out the construction and sale of the new homes to income-eligible first-time homebuyers, AND

WHEREAS, Polish Community Center, Inc. d/b/a Lt. Col. Matt Urban Human Service Center of WNY (MUC), a not-for-profit corporation meeting the HUD regulations for a CHDO has been identified, AND

WHEREAS, the Director of Community Development has recommended the Town contract with the Polish Community Center, Inc. d/b/a Lt. Col. Matt Urban Human Service Center of WNY for the construction and sale of the new homes, NOW, THEREFORE BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute an agreement with the Polish Community Center, Inc. d/b/a the Lt. Col. Matt Urban Human Service Center of WNY, 1081 Broadway, Buffalo, NY 14212 to act as the CHDO developer for the properties on Patrick Lane SBL #92.18-7-65 and sale to income-qualified homebuyers, subject to review and approval by the Town Attorney.

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



11. RESOLUTION 2017-397

Grant Application - Bullet-Proof Vests

Sponsored By: Councilmember Adamczyk, Councilmember Hammer

WHEREAS, the U.S. Department of Justice, Office of Justice Programs provides grant monies to offset a portion of costs associated with the purchase of bullet-proof vests for sworn police officers, and

WHEREAS, the grant will provide up to 50% reimbursement for monies to be expended to purchase these items, and

WHEREAS, all applications must be completed electronically on-line, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is hereby authorized to extend authorization to Police Department personnel to complete the grant application on-line for the purpose of securing these grant monies.

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



12. RESOLUTION 2017-398

SPECIAL EVENT - Xylem, Inc. Watermark Event

Sponsored By: Supervisor Benczkowski, Councilmember Meyers

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

WHEREAS, Xylem, Inc. has made application to hold its "Watermark Event" to raise awareness of global water crisis on Wednesday, July 12th, 2017 beginning at 11:30 a.m. and ending at approximately 12:30 p.m. along the Town's Bike Path beginning at the entrance at St. Felix Avenue, and

WHEREAS, this Board has reviewed the aforementioned application, which has been approved by the Facilities Department, Police Department, Highway Department and Youth and Recreational Services, and has no objection to same, and

WHEREAS, due to the nature of the event, this Town Board hereby waives the following requirements: Submittal of plan for sanitary facilities;

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

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of Xylem, Inc. for their "Watermark Event" to be held on Wednesday, July 12th, 2017.

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



13. RESOLUTION 2017-399

SPECIAL EVENT - General Pulaski Day Parade

Sponsored By: Supervisor Benczkowski, Councilmember Meyers

WHEREAS, the General Pulaski Association of the Niagara Frontier has made application to hold a parade honoring General Pulaski on Sunday, July 16th, 2017 at 1:30 p.m. beginning at the Thruway Plaza; then proceeding west on Walden Avenue; then north on Harlem Road to Cheektowaga Town Park, and

WHEREAS, this Board has reviewed the aforementioned application, which application has been approved by the Police Department, Highway Department and Facilities Department and has no objection to same, and

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

Submittal of plan for sanitary facilities;
 Submittal of site plan;
 Submittal of Security Plan;
 Submittal of Fire Prevention/Emergency Services Plan;

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the General Pulaski Association of the Niagara Frontier for the aforementioned parade to be held on Sunday, July 16th, 2017 and BE IT FURTHER

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

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



14. RESOLUTION 2017-400

SPECIAL EVENT - Shooting Starz Charity Softball Tournament

Sponsored By: Supervisor Benczkowski, Councilmember Meyers

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

WHEREAS, the Shooting Starz Charity Softball Association has made application to hold its Charity Softball Tournament for Make-A-Wish Foundation in Stiglmeier Park on Saturday, July 22nd, 2017 from 8:00 a.m. - 8:00 p.m, and

WHEREAS, this Board has reviewed the aforementioned application, which application has been approved by the Police Department, Facilities Department and Youth & Recreational Services Department, and

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

- Submittal of plan for sanitary facilities;
- Submittal of site plan;
- Submittal of Security Plan;
- Submittal of Fire Prevention/Emergency Services Plan;

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the Shooting Starz Charity Softball Association for the aforementioned Charity Softball Tournament for Make-A-Wish Foundation in Stiglmeier Park on Saturday, July 22nd, 2017.

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



15. RESOLUTION 2017-401

SPECIAL EVENT - Cheektowaga Oldtimers Softball League Annual Softball Picnic

Sponsored By: Supervisor Benczkowski, Councilmember Meyers

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

WHEREAS, the Cheektowaga Oldtimers Softball League has made application to hold its annual "Softball Picnic" at Stiglmeier Park (Diamond 1) on Sunday, August 6th, 2017 beginning at 11:00 a.m.; and

WHEREAS, this Board has reviewed the aforementioned application, which application has been approved by the Facilities Department and has no objection to same, and

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

2. Submittal of plan for sanitary facilities;
3. Submittal of site plan;
4. Submittal of Security Plan;
5. Submittal of Fire Prevention/Emergency Services Plan.

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the Cheektowaga Oldtimers Softball League for its annual "Softball Picnic" at Stiglmeier Park (Diamond 1) on Sunday, August 6th, 2017.

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



16. RESOLUTION 2017-402

SPECIAL EVENT - Stephen Siller Tunnel to Towers Foundation 5K Run

Sponsored By: Councilmember Adamczyk, Councilmember Hammer

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

WHEREAS, Brian Gould, on behalf of the Stephen Siller Tunnel to Towers Foundation, has made application to hold its " 5K Run" to raise funds for injured veterans on Saturday, September 9, 2017 beginning at 9:00 A.M. at the Bellevue Fire Hall, along Como Park Boulevard, through Losson Park and back onto Como Park Boulevard, ending at the Bellevue Fire Hall; AND

WHEREAS, this Board has reviewed the aforementioned application, which application has been approved by the Police Department, Facilities Department and Highway Department and has no objection to same, AND

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

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

IT

RESOLVED, that this Town Board hereby approves the aforementioned application of Brian Gould, on behalf of the Stephen Siller Tunnel to Towers Foundation, for said 5K Run on Saturday, September 9, 2017; AND BE IT FURTHER

RESOLVED, that the Chief of Police be and hereby is directed to provide traffic safety and escort services for such run and to ensure compliance with Section 1600(a)(6) of the Vehicle and Traffic Law.

Motion by Councilmember Rogowski, Seconded by Councilmember Meyers to Amend Resolution to change Losson Park to Stiglmeier Park. Motion Carried.

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



17. RESOLUTION 2017-403

Youth & Recreation Terminations

Sponsored By: Councilmember Kaminski, Councilmember Rogowski

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

Miranda Florek	Never worked	14227
Benjamin Sullivan	Never worked	14225

Motion by Councilmember Meyers, Seconded by Councilmember Rogowski to waive the reading of names for the following Resolutions: 2017-403, 2017-404, 2017-405. Motion Carried.

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



18. RESOLUTION 2017-404

Youth & Recreation Transfers

Sponsored By: Councilmember Kaminski, Councilmember Rogowski

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

Recreation Aide to Recreation Attendant - 7140.1614 & 7140.1648 - \$9.70 - Regular Part-time
Kelly Glowny

Recreation Aide to Recreation Attendant - 7140.1614 & 7140.1645 - \$9.70 - Regular Part-time
Karly Glowny

BE IT FURTHER RESOLVED that the employee information be amended as follows:

Lifeguard to Recreation Instructor "Town Park Pool Head Lifeguard 1st Shift" - 7180.1902 - \$11.66 - Regular Part-time
Bryce Bielani

Lifeguard "Senior Lifeguard" to Recreation Instructor "Town Park Pool Head Lifeguard 2nd Shift" - 7180.1902 - \$11.66 - Seasonal
Katie Gramlich

Corrected(last day worked):
Keri Murphy 4/01/17 14227

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



19. RESOLUTION 2017-405

Hiring/Termination of Part-Time/Seasonal Employees

Sponsored By: Supervisor Benczkowski, Councilmember Meyers

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:

COMMUNITY DEVELOPMENT Clerk \$12.00/hour effective 6/29/17
Jacqueline Hearst, Cheektowaga, New York

SENIOR SERVICES Van Driver (Substitute) \$9.70/hour effective 6/28/17
Joseph V. Soldaczewski, Cheektowaga, New York
Thomas Zimpfer, Cheektowaga, New York

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

SANITATION DEPARTMENT Laborer \$9.70/hour effective 6/28/17
Brandon A. Kraebel, Cheektowaga, New York
Joshua C. Richardson, Cheektowaga, New York

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

BUILDING AND PLUMBING DEPARTMENT
Garrett Pyc effective 5/18/17
Roy Weiglein effective 6/24/17

COMMUNITY DEVELOPMENT
Sueanne B. Zielinski effective 6/28/17

JUSTICE COURT
Zelinda Olivieri effective 6/17/17

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



20. RESOLUTION 2017-406

Appointment of Laborer (Labor/Permanent) Sanitation Department/Marc P. Beang

Sponsored By: Councilmember Adamczyk, Councilmember Meyers

WHEREAS, a vacancy exists in the title of Laborer in the Sanitation Department; AND

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

WHEREAS, no TCEA bids were received for the vacant position; AND

WHEREAS, Marc P. Beang, currently employed as a temporary Motor Equipment Operator - B, applied for said vacancy and meets the necessary qualifications for appointment; NOW, THEREFORE, BE IT

RESOLVED, that Marc P. Beang, of Cheektowaga, New York, be and hereby is appointed to the position of Laborer in the Sanitation Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective June 28, 2017.

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



21. RESOLUTION 2017-407

Appointment of Maintenance Worker (Temporary) Facilities Department (Buildings and Grounds Division)/Jordan D. Pocobello

Sponsored By: Supervisor Benczkowski, Councilmember Meyers

WHEREAS, a temporary Maintenance Worker position exists in the Facilities Department (Buildings and Grounds Division); AND

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

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

WHEREAS, Jordan D. Pocobello of Cheektowaga, New York, currently employed as a part-time Laborer in the Facilities Department, applied for said vacancy and meets the qualifications for appointment; NOW, THEREFORE, BE IT

RESOLVED, that Jordan D. Pocobello of Cheektowaga, New York, be and hereby is appointed to the temporary position of Maintenance Worker in the Facilities Department (Buildings and Grounds Division) in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective June 14, 2017.

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



22. RESOLUTION 2017-408

Travel Authorization Personnel Department

Sponsored By: Supervisor Benczkowski, Councilmember Meyers

WHEREAS, the New York State Public Employer Labor Relations Conference is being held July 19, 2017 through July 21, 2017, in Saratoga Springs, New York; AND

WHEREAS, Coordinator of Employee Relations Karen Marchese has requested authorization to attend said conference; AND

WHEREAS, Ms. Marchese 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 \$1,290; AND

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

RESOLVED, that Coordinator of Employee Relations Karen Marchese be and hereby is authorized to attend the New York State Public Employer Labor Relations Conference being held July 19, 2017 through July 21, 2017, in Saratoga Springs, New York.

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



23. RESOLUTION 2017-409

Travel Authorization Office of the Town Assessor

Sponsored By: Councilmember Magierski, Councilmember Hammer

WHEREAS, a Seminar on Appraising Application is being held July 17, 2017 through July 21, 2017, in Ithaca, New York; AND

WHEREAS, Assessor Jill Oxley has requested to attend said seminar; AND

WHEREAS, Ms. Oxley 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 \$1,526.72; AND

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

RESOLVED, that Assessor Jill Oxley be and hereby is authorized to attend the Seminar on Appraising Application being held July 17, 2017 through July 21, 2017, in Ithaca, New York.

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



24. RESOLUTION 2017-410

Travel Authorization Police Department

Sponsored By: Councilmember Adamczyk, Councilmember Hammer

WHEREAS, the FBINAA 53rd Annual Training Conference and Exhibition is being held July 30, 2017, through August 2, 2017, in Washington, D.C; AND

WHEREAS, Lieutenants Thomas Gerace and Brian Gould have been recommended to attend said conference and exhibition; AND

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

WHEREAS, the total cost to the Town shall not exceed \$2,111.98; AND

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

RESOLVED, that Lieutenants Thomas Gerace and Brian Gould be and hereby are authorized to attend the FBINAA 53rd Annual Training Conference and Exhibition being held July 30, 2017, through August 2, 2017, in Washington, D.C.

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



25. RESOLUTION 2017-411

Travel Authorization Police Department

Sponsored By: Councilmember Adamczyk, Councilmember Hammer

WHEREAS, a SWAT Operator Course is being held:

- July 31, 2017 through August 4, 2017,
- August 7, 2017 through August 11, 2017,
- August 21 through August 25, 2017,
- August 28 through September 1, 2017; AND

WHEREAS, the course is being held in Oriskany, New York; AND

WHEREAS, Sergeants Daniel Albrecht and Caleb Harte and Police Officers Garrett Slawatycki and Michael Curtis, have been recommended to attend said course; AND

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

WHEREAS, the total cost to the Town shall not exceed \$6,972.98; AND

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

RESOLVED, that Sergeants Daniel Albrecht and Caleb Harte and Police Officers Garrett Slawatycki and Michael Curtis be and hereby are authorized to attend the SWAT Operator Course being held July 31, 2017 through August 4, 2017, August 7, 2017 through August 11, 2017, August 21 through August 25, 2017, and August 28, 2017 through September 1, 2017, in Oriskany, New York.

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

XI. Suspension of Rules

Motion by Councilmember Meyers, Seconded by Councilmember Rogowski to waive the rules to include the following Resolution: 2017-412. Motion Carried.



1. RESOLUTION 2017-412

Appointment of Working Crew Chief (Non-Competitive/Permanent) Facilities Department (Building & Grounds Division) - William Graczyk

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

WHEREAS, a vacancy currently exists in the position of Working Crew Chief in the Facilities Department (Buildings and Grounds Division); AND

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

WHEREAS, William Graczyk, currently employed as an Electrician in the Facilities Department (Building and Grounds), bid on said vacancy, and meets the necessary qualifications; NOW, THEREFORE BE IT

RESOLVED, that William Graczyk of Cheektowaga, New York, be and hereby is appointed to the position of Working Crew Chief in the Facilities Department (Buildings and Grounds Division) in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Supervisory Unit effective June 30, 2017.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Diane Benczkowski, Supervisor
SECONDER:	Rogowski, Kaminski, Meyers, Adamczyk, Hammer, Magierski
AYES:	Benczkowski, Rogowski, Kaminski, Meyers, Adamczyk, Hammer, Magierski

XII. Communications

A. Departmental Communications

1. Minutes: Cheektowaga Planning Board - June 8, 2017
2. Minutes: Cheektowaga Traffic Safety Commission - June 20, 2017

B. General Communications

1. Notice of Claim: Niagara Mohawk Power Corporation d/b/a National Grid vs. Town of Cheektowaga

2. Notice of Claim: Michael Schifferle vs. Town of Cheektowaga
3. Notice of Claim: Barbara E. Zarajczyk vs. Town of Cheektowaga
4. Summons and Complaint: Tiffany M. Green vs. James Morey, Jr., Matthew Brown, Town of Cheektowaga

XIII. 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.

XIV. Adjournment

Motion by Councilmember Kaminski, Seconded by Councilmember Magierski to adjourn the meeting at 7:56 PM. Motion Carried.

Vickie L. Dankowski

Town Clerk