



U.S. Department of Housing and Urban Development
Buffalo Office
300 Pearl Street, Suite 301
Buffalo, New York 14202
(716) 551-5755

January 11, 2023

Ms. Diane Benczkowski
Supervisor, Town of Cheektowaga
Broadway and Union Roads
Cheektowaga, NY 14227-1088

Dear Ms. Benczkowski:

**SUBJECT: Program Year 2021 Program Year Review Letter
Community Development Block Grant Program (CDBG)**

Title I of the National Affordable Housing Act and the Housing and Community Development Act of 1974 requires that a determination be made by HUD as to whether the grant recipient is in compliance with the statutes and has the continuing capacity to implement and administer the program for which assistance was received. As a result of our Program Year Review, we have determined that your overall performance is satisfactory. This determination is based on the information contained in the Consolidated Annual Performance and Evaluation Reports (CAPER), information in our electronic databases, and financial statements. Our review primarily focused on the 2021 program year, which covered April 1, 2021 through March 31, 2022. The review was conducted in accordance with the requirements of 24 CFR 91.525.

The enclosed report was previously transmitted to the Town's Director of Community and Economic Development for her review and comment. No comments were received. Based on the information available at the time of this review, HUD has determined that the Town has the continuing capacity to carry out the HUD programs identified in this report.

In accordance with the Consolidated Plan regulations, the Program Year Review Letter should be made available to the public through your established citizen participation process. HUD will also make it available to citizens upon request.

If you have any questions regarding this correspondence, please contact Mary Ann Oliver, Community Planning and Development Representative, on 716-646-7022 or via e-mail at maryann.oliver@hud.gov.

Sincerely,

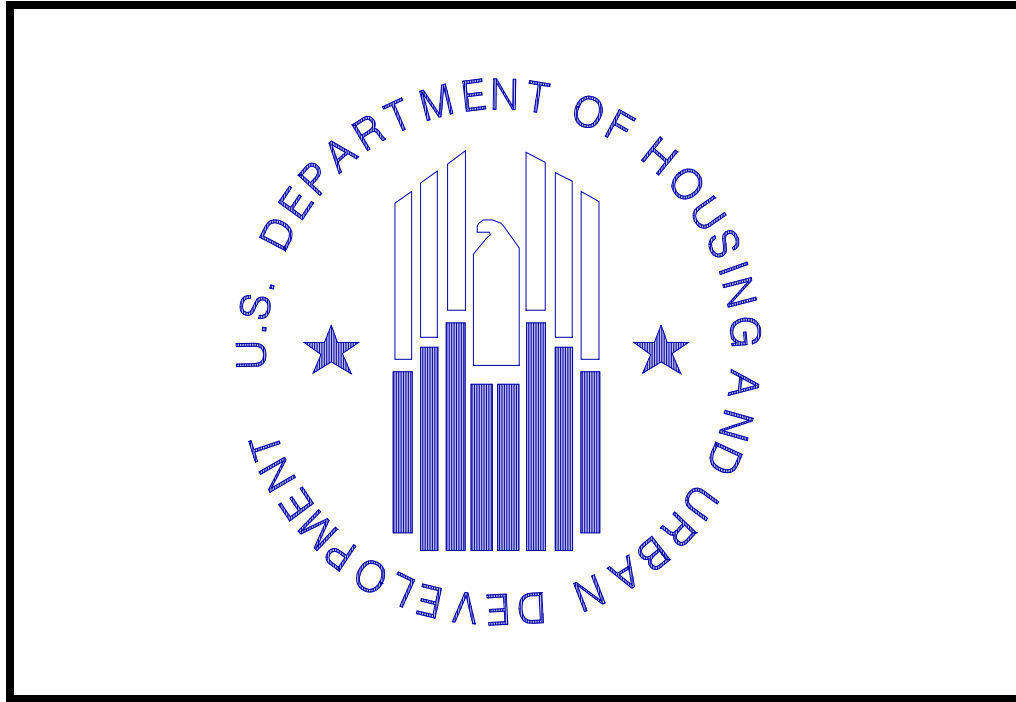
A handwritten signature in blue ink that reads "Lisa M. Pugliese".

Lisa M. Pugliese
Field Office Director

Enclosure

cc: Rachel Straker, Community Development Director

**U.S Department of Housing & Urban Development
Buffalo, New York Office**



Annual Community Assessment Report

for

Cheektowaga, New York

**Covering the Program Year of
April 1, 2021 – March 31, 2022**

INTRODUCTION

The Town of Cheektowaga, as a recipient of HUD Community Development Block Grant (CDBG) funding, is required to annually review and report on its progress in carrying out the goals and priorities of its Consolidated Plan. The Consolidated Annual Performance and Evaluation Report (CAPER) is designed to be a tool to report the activities undertaken during the previous year to both HUD and local community stakeholders and residents. Prior to submission to HUD, a grantee must make its CAPER available for review by interested citizens and stakeholders.

HUD has a responsibility to review the CAPER and the community's performance on an annual basis. HUD relies on the CAPER, financial data and audits, program records, on-site monitoring and other resources to evaluate a grantee's overall performance and effectiveness. This review is an on-going process; however, this report summarizes a community's performance and its continuing capacity to administer HUD funds. This report is prepared to provide feedback on your community's performance in the delivery of programs and services using HUD Community Development funds. This report consists of four sections:

- Section I provides a general overview regarding compliance and reporting accuracy
- Section II evaluates grantee performance in key crosscutting functions
- Section III evaluates the progress and performance of each specific HUD program
- Section IV provides recommendations and follow-up activities, if applicable

Assessment Period: April 1, 2021 – March 31, 2022
 Second Year of a 5-Year Consolidated Plan

Programs Administered & 2020 Funding Amounts:	
Community Development Block Grant (CDBG)	\$1,056,863.00
CDBG-CV	\$1,481,580.00

Section I - Summary of Consistency with Consolidated Plan & Annual Action Plans

HUD's review of the CAPER determined that Cheektowaga followed the HUD-approved Consolidated Plan and Annual Action Plan during the 2021 program year (PY). The activities undertaken during the year are consistent with Cheektowaga's 2020-2024 Consolidated Plan goals, objectives and priority needs. These goals, objectives and priority needs as stated in Cheektowaga's 2020-2024 Consolidated Plan included the following high priority elements:

1. Residential Rehab - Use low-cost loans to improve housing stock through rehabilitation of owner-occupied 1-4 family units and to reduce lead-based paint hazards; use loans for a separate Mobile Home Rehabilitation Program and use loans for an Emergency Program for repair or replacement that impair the health and safety of residents.
2. Weatherization - Assist low-income homeowners with weatherization assistance to provide energy audits resulting in as-needed energy efficient furnaces, insulation, windows, caulking and, in some cases, energy efficient refrigerators.
3. Sump pump assistance - Provide grants to owner-occupants for specifications, bid/estimates and installation of proper sump crock and accessories, pump, discharge and bubbler system, and code-mandated electrical and smoke/co detection devices.
4. Code Enforcement - Provide NYS Code Enforcement Officers to identify and correct housing code violations in order to sustain a decent living condition for all those in the neighborhood with loans under the Town's CDBG and HOME Residential Rehabilitation programs offered to assist homeowners in making required repairs.
5. Housing Counseling - Provide one-on-one counseling with low-moderate income eligible residents with housing issues, credit/financial issues, apartment searches, tenant-landlord issues, fair housing issues and referrals to existing mortgage-foreclosure services with other non-profits.
6. Acquisition/Demolition/Disposition - This program addresses vacant, substandard not-suitable for rehabilitation units in low-to-moderate income neighborhoods where some properties will be acquired and demolished using CDBG funds and sold to adjacent neighbors or re-used for affordable housing development through the Town's Community Housing Development Organization or by the Town itself.
7. Public Services, Summer Day Camp, Youth Services - Offer Summer Day Camp Program with structured recreational activity for youth ages 4-12 throughout the summer season and possibly expand a summer youth lunch program to income eligible households.
8. Public Services, Crime Awareness - A Community Policing Program for residents in low-moderate income areas of the Town and the Village of Sloan to interact with police officers through neighborhood watch programs.
9. Public Services, Senior Services and Transportation - Employ part-time outreach coordinators (counselors) for outreach and needs assessment services for elderly residents, link them to appropriate services, employ staff and drivers for senior citizen vans and increase fleet of vans.
10. Public Services, Domestic Violence – Provide funding to Child and Family Services/Haven House to supplement the cost of a full-time advocate to counsel victims of domestic violence, help them develop strategies to protect themselves from the offender, assist the victim in obtaining safe shelter, long-term counseling and civil legal assistance, accompany the victim to Court and assist victims in speaking with the Police and Assistant District Attorney.

11. Public Services – Food Pantry and Community Hub, Jobs - Improve the quality of life for families, youth and seniors in the community. Fund a Community Hub coordinator, staffing costs to assist at-risk populations to connect with needed social service agencies and food pantry assistance. Additional outreach to connect all in need to necessary health and human service agencies. Assistance for an after-school programing with a new Boys and Girl Club of Depew in the Alexander Community Center to serve low-moderate income families from three local school districts. Partner with outside agencies to train individuals in a particular field or skill of their choice, and subsequently assist those individuals with job placement.
12. Public Infrastructure – Repair and replace aging sewer lines and sidewalks in low-to-moderate areas of the Town and both Villages. Wherever possible, replacement projects will be done by Town employees while some other sidewalk repair projects will be done through private contractors.
13. Public Facilities - Improvement of Public Facilities to meet the ADA accessibility requirements for such government buildings/community center where accessibility to the public is necessary for seniors and severely disabled persons.
14. Economic Development - Provide a low-interest loan of variable duration and training to microenterprises in need of working capital to establish or sustain their business operations within the Town. Provide low interest loans to assist businesses that promise to hire low-moderate income workers, training them, if necessary, to fulfill the requirements of the position.
15. Provide Assistance to Homeless Population - Coordinate with, and provide referrals to, the Homeless Alliance of WNY, Matt Urban Center, and other agencies to identify emergency shelters and homeless service agencies that will provide the best services for the local homeless population or those at-risk of becoming homeless. Provide domestic-violence assistance to prevent homelessness in this vulnerable population.

The actual 2021 Program Year expenditures recorded in IDIS verify that Cheektowaga did expend HUD funds in these broad categories and within the requirements of HUD funding regulations. More information about accomplishment can be found in Section III of this report.

Performance Reports / CAPER Completeness

A Consolidated Annual Performance and Evaluation Report (CAPER) is due 90 days after Cheektowaga completes its program year on March 31st. HUD received Cheektowaga's 2021 CAPER on June 22, 2021, which was before the deadline of June 30th. All of the reports were determined to be substantially complete, including providing an adequate description of Cheektowaga's progress and performance throughout the program year.

More detailed information and an assessment of accomplishments can be found in Section III of this report. Comments/Notes and any requests for supplemental information will also be noted below.

Section II - General Overview and Cross Cutting Areas

Citizen Participation – Cheektowaga followed its Citizen Participation Plan and gave a 15-day public notice which was printed in the local newspaper from June 2, 2022 to June 17, 2022. A public notice was also on the Town’s website and social media sites. A copy of the CAPER was available at public locations throughout the Town and on its website.

Compliance Monitoring – The CDBG Program was last monitored by HUD in June 2019. There were no Findings or Concerns.

Subrecipient Oversight & Monitoring – Cheektowaga’s subrecipients include the Villages of Sloan and Depew and the Cheektowaga Economic Development Corporation (CEDC). The Town used a combination of on-site reviews and continual contact with subrecipients to monitor projects. It also has developed forms and user manuals to promote compliance and ease of review.

Management – Cheektowaga has staff and consultants that are experienced and very capable of administering and overseeing the HUD-funded program. The Director was promoted to her position in the Summer of 2020 and had extensive experience in the Community Development Department prior to her promotion.

Financial – The financial information reported by Cheektowaga appears to be complete, accurate, and sufficiently detailed to document the overall condition of the HUD program. Our review did not disclose any issues related to financial compliance.

Audits - A Single Audit must be submitted each year nine months from the end of Cheektowaga’s fiscal year. The Town is current through December 31, 2020.

Section III – Specific Program Progress and Performance

Community Development Block Grant (CDBG)

National Objective Compliance: The CDBG program was designed to principally benefit low- and moderate-income people. According to Cheektowaga’s PR26 IDIS Report, Cheektowaga spent 100% on activities that principally benefitted low- and moderate-income people.

The activities reported appear to meet a national objective.

Activities: Program activities during the reporting period were adequately described. CDBG funds were spent on activities that were eligible under program rules.

Cheektowaga reported on the second year of a five-year strategic plan. The CAPER and IDIS indicate that the Town is making progress in meeting the plan’s stated numeric goals for specific activities.

Financial:

Planning and Administration: The financial analysis component of our review requires an “origin-year” expenditure test to determine if Cheektowaga is within the 20% Planning and Administrative expenditure cap for CDBG funding. The origin year tests performed for grant

years 2015, 2016, 2017, 2018, 2019, 2020 and 2021 are acceptable and under the 20% administrative cap.

Expenditure Timeliness: The CDBG program requires that, 60 days before the end of the program year, Cheektowaga's unexpended CDBG funds be no more than 1.5 times its annual grant. This requirement became effective for PY 2016. Cheektowaga met its timeliness test for PY 2021 on February 1, 2022, with a ratio of 1.48%.

Public Services: Cheektowaga was under the 15% cap at 9.71%.

CDBG and ESG-CARES Act (CV Funds): Cheektowaga received the CDBG-CV grant to prepare, prevent, and respond to the COVID-19 pandemic and has spent 100% of the funds on projects that benefit low-and moderate-income residents. In addition, the Town has spent 4.77% of the funds on Planning and Administration.

Monitoring: The Town was monitored in 2019 and there were no Findings or Concerns.

Home Investment Partnerships Program (HOME) Grant

The Town is not a HOME grantee; however, as a member of the Amherst-Cheektowaga-Tonawanda HOME Consortium, it receives a portion of Amherst's HOME allocation. Cheektowaga's HOME activities are included in the Amherst CAPER.

Emergency Solutions Grant (ESG)

Cheektowaga does not receive ESG funds.

Section IV – Summary and Follow up

The following determinations have been made relative to Cheektowaga's capacity to carry out CDBG funded activities:

1. Cheektowaga has carried out its program substantially as described in its Consolidated Plan submission.
2. The Consolidated Plan submission, as implemented, complies with the requirements of the Housing and Community Development Act of 1974, and other applicable laws and regulations.
3. Cheektowaga's CARES Act (CDBG-CV) projects were also implemented successfully and focused on public service and economic development activities. COVID-19 presented challenges but Cheektowaga worked through them and is making progress in meeting its community's goals.
4. Cheektowaga has the continuing capacity to carry out the approved program in a timely manner.

This report was prepared by: Mary Ann Oliver, Sr. CPD Representative
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MaryAnn.Oliver@hud.gov