

Cheektowaga, N.Y.
January 6, 1947

A regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall in said Town of Cheektowaga, on the 6th day of January, 1947 at 2 o'clock P.M., Eastern Standard Time, there were

PRESENT:

| | |
|----------------------|------------|
| C. Chase Zalemski | Supervisor |
| Stanley Pawlak | Councilman |
| Frank Henry | Councilman |
| Nicholas Napieralski | Councilman |
| Henry Nagel | Councilman |

PRESENT: -5- ABSENT: -0-

A quorum being present the chairman called the meeting to order to transact all business that may come before the Board.

Mr. Henry offered the following resolution and moved its adoption: WHEREAS, there has been presented to this Town Board a written application for the re-zoning of the hereinafter described property from a "residential district" to a "business district" and a notice of the Town Board reciting the receipt of said application and specifying the time when and place where said Town Board would meet to consider the said application and to hear all persons interested in the subject thereof concerning the same, having been published as required by law and the hearing taking place at the Town Hall, Town of Cheektowaga, New York, on January 6th, at which hearing no person appeared in opposition to the proposed amendment of the zoning map, and the Town Board having given due consideration thereon.

NOW, THEREFORE,

BE IT RESOLVED, by this Town Board that the ordinance adopted December 21, 1942, and as now amended, entitled "Zoning Ordinance", be and the same hereby is amended by changing the zoning map so as to change the following described property from that of "residential district" to "business district":

DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being approximately fifteen hundred (1500) feet north of Aero Drive on the east side of Amherst-Villa Road and being part of Farm Lot No. 82 consisting of an area approximately two hundred (200) feet front by three hundred fifty (350) feet in depth, the premises being commonly known as 207 Amherst-Villa Road, and to be used for restaurant purpose.

and, BE IT FURTHER RESOLVED, that the Town Clerk, be and he hereby is, directed to publish in the Depew Herald and Cheektowaga News, twice, once in each week for two consecutive weeks, said amendment and to post conspicuously in at least six public places in the Town, a printed copy thereof.

Seconded by Mr. Napieralski and duly put to a vote which resulted as follows:

C. Chase Zalemski, voting aye
Stanley Pawlak, voting Aye
Nicholas Napieralski, voting Aye
Frank Henry, voting Aye
Henry Nagel, voting Aye

(This was published and posted according to Law.) Michael M. Moran.

This being the time and place advertised for a public hearing on the proposed improvement of both sides of the public highways situate in Consolidated Lighting District of the Town of Cheektowaga hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor, such proof was duly filed.

PUBLIC HIGHWAYS TO BE IMPROVED

| NAMES OF HIGHWAYS | FROM | TO |
|-------------------|-----------------------------------|-----------------|
| Vernon Drive | Manlon Terrace south to border of | Town of Amherst |

TYPE OF STREET LIGHTING INSTALLATION

Underground wiring, steel boulevard type standards (same type of standards as on Manlon Terrace)

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. No persons appearing in opposition to the proposed improvement, the Supervisor declared the hearing closed.

Mr. Nagel offered the following resolution and moved its adoption;

WHEREAS, this Town Board has this day held a public hearing on the petition requesting the improvement of both sides of the public highways situate in Consolidated Lighting District of the Town of Cheektowaga hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described.

PUBLIC HIGHWAYS TO BE IMPROVED

| NAMES OF HIGHWAYS | FROM | TO |
|-------------------|-----------------------------------|-----------------|
| Vernon Drive | Manlon Terrace south to border of | Town of Amherst |

TYPE OF STREET LIGHTING INSTALLATION

Underground wiring steel boulevard type standards (Same type of standards as on Manlon Terrace)

And heard all persons interested in the subject thereof.

NOW, THEREFORE, BE IT RESOLVED, that this Town Board does hereby decide at such public hearing and upon the evidence given thereat,

(a) that such petition is signed and acknowledged as required by law and is otherwise sufficient, and

(b) that it is in the public interest to grant in whole the relief sought,

by the installation of street lighting equipment hereinabove particularly described along said streets, and

BE IT FURTHER RESOLVED that such petition is hereby approved and the installation of such street lighting equipment along said highways is hereby authorized, and that the Supervisor and the Town Attorney are hereby authorized and directed to have the installation of said street lighting equipment made by the utility company supplying electrical service to the locality in which the said public highways are located, under such contracts as may be required to effectuate such installation and as approved by the said Town Attorney, and

BE IT FURTHER RESOLVED, that the Town Clerk shall cause a certified copy of this resolution to be recorded in the office of the Clerk of Erie County, New York, within ten days after the adoption hereof, in conformity with Section 195 of the Town Law.

Seconded by Mr. Henry and duly put to a vote which resulted as follows:

| | | |
|----------------------|-------|-----|
| C. CHASE ZALEMSKI, | Voted | Aye |
| NICHOLAS NAPIERALSKI | @ | " |
| FRANK HENRY, | " | " |
| HENRY NAGEL, | " | " |
| STANLEY PAWLAK | " | " |

Ayes -5- Noes -0-

Absent -0-

STATE OF NEW YORK :
COUNTY OF ERIE : SS.
TOWN OF CHEEKTOWAGA :

ALBERT STURM, being duly sworn, deposes and says that he is the Town Clerk of the Town of Cheektowaga, Erie County, New York; that he posted conspicuously in not less than five public places on each of the public highways situate in Consolidated Lighting District of the Town of Cheektowaga hereinafter particularly set forth, not less than ten nor more than twenty days before the date set therein for the hearing, certified copies of the attached order of the Town Board for a meeting to consider the petition for the improvement of both sides of the said public highways by the installation of street lighting equipment hereinafter particularly described.

PUBLIC HIGHWAYS TO BE IMPROVED

| NAMES OF HIGHWAYS | FROM | TO |
|-------------------|-----------------|-------------------------------------|
| Vernon Drive | Manlon Terrace, | south to border of Town of Amherst. |

TYPE OF STREET LIGHTING INSTALLATION

Underground wiring, steel boulevard type standards, (same type of standards as on Manlon Terrace.)

TIMES AND PLACES OF POSTING

Posted on December 19th, 1946 as follows:

| | |
|--------------------------------------|---------------|
| 1 on a stake in front of House No. 1 | Vernon Drive. |
| 1 on a stake in front of House No. 5 | Vernon Drive. |
| 1 on a stake in front of House No. 9 | Vernon Drive. |
| 1 on a stake in front of House No. 6 | Vernon Drive. |
| 1 on a stake in front of House No. 4 | Vernon Drive. |

The following petition were referred to the petition committee, Town Attorney and Board of Assessors for the necessary action:

Joseph J. Mueller to have property rezoned from residence to business, property located on Genesee Street and St. James, Lots No. 218-219, Map Cover 1417.

Petition to have underground street lights installed on Washington Highway.

Petition for garbage collection on Broadway, from Harlem to Union Road.

The following resignation was received:

December 31, 1946

Town Board
Town of Cheektowaga
Town Hall
Cheektowaga, New York

Gentlemen:

I hereby tender my resignation as Town Attorney, effective this date. It is with regret that I sever the pleasant and enjoyable relations which I have had with the Town Board for many years.

Rest assured that my interests in local civic affairs will not cease.

Sincerely,
Carlton A. Fisher

On motion of Mr. Nagels, seconded by Mr. Pawlak, this resignation was duly received, filed and accepted.

CARRIED:

Ayes: -5-

Noes: -0-

Councilman Henry offered the following resolution and moved its adoption:

WHEREAS, there was filed with this Board on December 31 1946, the resignation, effective on that date, of Carlton A. Fisher from the office of Town Attorney, such resignation having been necessitated by the appointment of Mr. Fisher to the office of County Judge of Erie County, and

WHEREAS, Kenneth W. Kitzinger has served with distinction as acting Town Attorney during the absence of Carlton A. Fisher while serving in the United States Marine Corps during the war,

NOW, THEREFORE, BE IT

RESOLVED, that the resignation of Carlton A. Fisher from the office of Town Attorney effective December 31, 1946, be and the same is hereby accepted with regret and with the best wishes of this Board in his new position of County Judge of Erie County, and be it further

RESOLVED, that Kenneth W. Kitzinger be and he hereby is appointed to the office of Town Attorney effective January 6, 1947, at an annual salary of \$4,300.

Seconded by Councilman Napieralski and duly put to a vote which resulted as follows:

| | | |
|----------------------|-----------|-----------|
| C. Chase Zalemski | voting | Aye |
| Stanley Pawlak | voting | Aye |
| Frank Henry | voting | Aye |
| Nicholas Napieralski | voting | Aye |
| Henry Nagel | voting | Aye |
| CARRIED: | Ayes: -5- | Noes: -0- |

Councilman Pawlak offered the following resolution and moved its adoption:

RESOLVED, that the salaries of the various elected and appointed officials and employees of the Town, including all positions of the Town in the exempt, non-competitive and competitive classes of the classified service of the Town of Cheektowaga, for the year beginning January 1st, 1947, remain at the same rates of compensation as were in effect December 31st, 1946, except as otherwise changed by resolutions duly approved this day, and the duties thereof likewise shall be the same.

Seconded by Councilman Napieralski and duly put to a vote which resulted as follows:

| | | |
|----------------------|-----------|-----------|
| C. Chase Zalemski | voting | Aye |
| Stanley Pawlak | voting | Aye |
| Frank Henry | voting | Aye |
| Nicholas Napieralski | voting | Aye |
| Henry Nagel | voting | Aye |
| CARRIED: | Ayes: -5- | Noes: -0- |

Councilman Napieralski offered the following resolution and moved its adoption:

WHEREAS, there has been provided in the budget of this Town for the year 1947 funds for the payment of annual salaries as follows, to wit: Supervisor, \$5,500; Councilmen, \$1,800 for each; Town Clerk, \$4,000; and Superintendent of Highways, \$4,000, and

WHEREAS, these salaries were duly specified in the published notice of hearing on the budget,

NOW, THEREFORE, BE IT

RESOLVED, that the annual salary, effective as of January 1, 1947, of the Supervisor shall be \$5,500; of each of the Councilmen shall be \$1,800; of the Town Clerk shall be \$4,000; and of the Superintendent of Highways shall be \$4,000.

Seconded by Councilman Pawlak and duly put to a vote which resulted as follows:

| | | |
|----------------------|-----------|-----------|
| C. Chase Zalemski | voting | Aye |
| Stanley Pawlak | voting | Aye |
| Frank Henry | voting | Aye |
| Nicholas Napieralski | voting | Aye |
| Henry Nagel | voting | Aye |
| CARRIED: | Ayes: -5- | Noes: -0- |

Mr. Pawlak moved the following resolution and it was seconded by Mr. Henry:

RESOLVED, that the Supervisor be and hereby is authorized to open accounts in the designated depository bank for the Health Fund; NY-2421, Incinerator and Garage Fund; George Urban Town Park Fund; and NY-2420, Storm Sewers and Drainage Fund.

CARRIED:

Ayes: -5-

Noes: -0-

No objection, Supervisor Zalemski referred the application from the Cheektowaga Times, for designation as the official newspaper for the Town of Cheektowaga to the Town Board and Town Attorney for the necessary action.

On motion of Mr. Pawlak, seconded by Mr. Henry, the Town Clerk was authorized to notify the Buffalo Niagara Electric Corp. to repair and restore in service street light standard #743, located on Cleveland Drive in the Town of Cheektowaga.

CARRIED:

Ayes: -5-

Noes: 00

Supervisor Zalemski ordered the communication from the State Traffic Commission, relative to traffic conditions on Genesee St. to the Town Board and Town Attorney for consideration.

Chief Walter J. Marynowski reported to the Board on the number of accidents on Dick Road and the Schoolhouse Road in the Town of Cheektowaga. Supervisor Zalemski referred this report to the Public Health Committee and Town Attorney for the necessary action.

On motion of Mr. Henry, seconded by Mr. Napieralski, Supervisor Zalemski was duly authorized to employ the necessary help in the Receiver of Taxes and Assessments Office, to assist him in the collection of taxes that are about to be collected for the year 1947.

CARRIED:

Ayes: -5-

Noes: -0-

On motion of Mr. Nagel, seconded by Mr. Pawlak, all Town officials duly qualified by law, were authorized to attend the Association of Town meeting to be held at Albany, New York, February 19th, 20th and 21st, 1947, and that the expense for attending said meeting be a direct charge against the Town of Cheektowaga.

CARRIED:

Ayes: -5-

Noes: -0-

On motion of Mr. Pawlak, seconded by Mr. Nagel, Supervisor Z. Chase Zalemski was duly designated as a delegate from the Town of Cheektowaga to attend said meeting of the Association of Towns to be held at Albany, New York, and that Stanley Pawlak be designated as an alternate to attend said meeting.

CARRIED:

Ayes: -5-

Noes: -0-

On motion of Mr. Pawlak, seconded by Mr. Henry, the following claims were allowed and audited and the Town Clerk was duly authorized to draw orders on the Supervisor for payment of same.

CARRIED:

Ayes: -5-

Noes: -0-

CLAIMS

| | | |
|------------------------------------|---|-----------|
| N.Y.State Elec. & Gas | -for elec. service, Town Hall..... | 69.50 |
| N.Y.StateElec. & Gas | -for elec. service, Harlem Pump Sta.. | 62.76 |
| N.Y.State Elec. & Gas | -for street lighting, Dec./ 1946..... | 2713.20 |
| Millington Lockwood | -for supplies, Tax Office..... | 2.75 |
| Millington Lockwood | -for supplies, Town Clerk..... | 7.50 |
| Millington Lockwood | -for supplies, Garbage Dept..... | 11.00 |
| Millington Lockwood | -for supplies, Police Dept..... | 1.00 |
| N.Y. Telephone | -for directory advertising..... | 3.00 |
| N.Y. Telephone | -for telephone service..... | 268.55 |
| United Projector & Film Corp. | -for rental films, Youth Recreation.. | 2.50 |
| Nussbaumer & Clarke | -for engineering Wehrle Dr. Sewer.... | 82.69 |
| Nussbaumer & Clarke | -for engineering Garbage Incinerator. | 569.90 |
| Lakeland Const. | -for construction on Incinerator, Est. #3..... | 16,283.03 |
| Joseph Kranz | -for work at Town Hall..... | 169.10 |
| Commercial Blue Print | -for prints, Assessors..... | 14.46 |
| Western N.Y.Water | -for fire hydrants, Dec..... | 1933.30 |
| Western N.Y. Water | -for water, Disp. #5..... | 125.40 |
| Western N.Y. Water | -for water, Town Hall..... | 5.00 |
| Western N.Y. Water | -for water, Disp. #3..... | 35.70 |
| Western N.Y. Water | -for water..... | 9.00 |
| Iroquois Gas | -for gas, Alpine-Herbert..... | 25.39 |
| Malcolm W. MacDonald | -for refund for re-zoning petition rejected, 12/16/46..... | 10.00 |
| John Sarama | -for work at Town Hall..... | 21.25 |
| G.E.Holloway | -for accounting service, Dec..... | 85.00 |
| Terminal Petroleum | -for gasoline, Police Dept..... | 297.48 |
| Herald & News | -for Tax Notices, Tax Office..... | 19.95 |
| Bflo. Niagara Elec. | -for connecting election booths..... | 18.00 |
| C.C.Hewitt & Sons | -for supplies, Town Hall..... | 10.00 |
| C.B.Dolge | -for supplies, Dept. of Pub. Wks..... | 9.27 |
| Alfred J. Kless | -for transportation, Assessors, Dec.. | 13.50 |
| Victors Paints & Hardware Store | -for supplies, Town Hall..... | 5.97 |
| Universal Metal Welding | -for work at Disp. Plants..... | 15.00 |
| C. Chase Zalemski | -for postage, Supervisors Office..... | 15.00 |

| | | |
|-------------------------|--|-------|
| International Harvester | -for supplies,..... | 10.98 |
| Hettrich Electric | -for supplies, Police..... | 59.96 |
| Bison Lumber | -for supplies, Town Hall..... | 25.45 |
| U-Crest Fire Dist.#4 | -for rental fire house, Election purpose, 1946..... | 30.00 |
| Helen P. Piatek | -for X-mas trees, Town Hall..... | 22.50 |
| Cheektowaga Lumber | -for supplies, Town Hall..... | 8.75 |
| C. B. Dolge | -for supplies, Town Hall..... | 30.00 |

On motion of Mr. Henry, seconded by Mr. Pawlak, the Board
adjourned.

CARRIED:

Ayes: -5-

Noes: -0-

ALBERT STURM
Town Clerk

Cheektowaga, N.Y.
January 20, 1947

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in said Town of Cheektowaga, on the 20th day of January, 1947 at 7:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT:

| | |
|----------------------|------------|
| C. Chase Zaleski | Supervisor |
| Stanley Pawlak | Councilman |
| Frank Henry | Councilman |
| Nicholas Napieralski | Councilman |
| Henry Nagel | Councilman |

PRESENT: -5-

ABSENT: -0-

Supervisor Zaleski called the meeting to order to transact all business that may come before the Board.

The Town Clerk then proceeded to read the minutes of the meeting held on the 6th day of January, 1947, and there being no alterations or corrections to same, it was moved by Mr. Pawlak, seconded by Mr. Nagel, that these minutes stand approved as read and be placed on file.

CARRIED:

Ayes: -5-

Noes: -0-

Mr. Nagel offered the following resolution and moved its adoption:

WHEREAS, a petition for the improvement of both sides of the public highways situated in Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 6th day of January, 1947.

PUBLIC HIGHWAYS
TO BE IMPROVED
Names of Highways
Washington Highway
From

Amherst Town Line
To

Kensington Highway
TYPE OF STREET LIGHTING:
INSTALLATION

Underground wiring, upright standards.

WHEREAS, ISIDORE J. MAZUROWSKI, ALFRED KLESS and PAUL WALKOWSKI, Assessors of said Town of Cheektowaga have certified in writing to this board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage or bounds on both sides of each of said highways to be improved, as aforesaid, and

WHEREAS, the portions of said highways to be improved are situated entirely in said town outside of any incorporated village or city therein,

NOW, THEREFORE

IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall, in said Town of Cheektowaga on the 3rd day of February, 1947 at 2:00 o'clock P.M. Eastern Standard Time, to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED that a copy of this order certified by the Town Clerk be published at least once in the Depew Herald and Cheektowaga News, the official newspaper of the Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing aforesaid and that copies of this order be posted conspicuously in five public places on each of the said highways to be improved not less than ten (10) nor more than twenty (20) days before the day designated for the hearing as aforesaid.

Seconded by Councilman Napieralski and duly put to a vote which resulted as follows:
C. Chase Zaleski, voting Aye
Stanley Pawlak, voting Aye
Frank Henry, voting Aye
Nicholas Napieralski, voting Aye
Henry Nagel, voting Aye
Ayes: 5; Noes: 0; Absent: None.

This was published in the official paper of the Town of Cheektowaga. Copy of same is hereto attached.

STATE OF NEW YORK
COUNTY OF ERIE

At a Town Meeting of the Town of Cheektowaga, on the 20th day of January, 1947, at 7:30 P. M., Eastern Standard Time, there were:

Members of the Town, not less than ten (10) nor more than twenty (20) days before the date set for the hearing aforesaid and copies of this order be posted conspicuously in five public places each of the said highways to be approved not less than ten (10) nor more than twenty (20) days before the day designated for the hearing as aforesaid.

Resolved by Councilman Napier and duly put to a vote which resulted as follows:

C. Chase Zaleski, voting Aye
Stanley Pawlak, voting Aye
Frank Henry, voting Aye
Nicholas Napieralski, voting Aye
Henry Nagel, voting Aye
Ayes: 5; Noes: 0; Absent: None.

STATE OF NEW YORK:

COUNTY OF ERIE : SS.

ALBERT STURM, Town Clerk of the Town of Cheektowaga, Erie County, New York, DO HEREBY CERTIFY that I have compared the foregoing with the original minutes of the meeting of the Town Board of the said Town held on the 20th day of January, 1947, and that the foregoing is a true and correct transcript from said original resolution and order and the whole thereof, and that the resolutions and orders duly adopted by the said Town Board are on file in my office.

I FURTHER CERTIFY that all members of said Town Board had due notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said Town of Cheektowaga, this 21st day of January, 1947.

(SEAL)

ALBERT STURM,

Town Clerk

Albert Sturm

Notary Public in and for Erie County.

FRANK A. TABER, JR.,

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga
Herald and News

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 20th day of January, 1947, and the last insertion being on the _____ day of _____, 19____, and that not more than six days intervened between any two publications thereof.

3rd day of

and posted on the 10th day of January as follows:
1 on a stake at House No. 2, Washington Hwy.
1 on a stake at House No. 4, Washington Hwy.
1 on a stake at House No. 5, Washington Hwy.
1 on a stake at House No. 3, Washington Hwy.
1 on a stake at House No. 6, Washington Hwy.

Councilman Nagel offered the following resolution and moved its adoption:

WHEREAS, there has been duly presented to this Town Board a written petition in due form for the extension of the existing fire district in this Town known as Fire District No. 4 by annexing thereto the territory situate in such town and hereinafter described and the said petition having been duly signed and acknowledged or proved by the required resident taxpayers; and a public hearing, following due notice, having been duly held on November 18, 1946 at the Town Hall, corner of Broadway and Union Road in this Town by the Town Board of this Town to consider the said petition and hear all persons interested in the subject concerning the same, and this Town Board having, by a resolution duly adopted on the said 18th day of November, 1946, following the said public hearing and upon the evidence given thereat, duly determined that it was in the public interest to grant in whole the relief sought by the said petition and duly resolved to extend such fire district to embrace the additional territory hereinafter described, subject, however, to the approval of the state comptroller; and within ten days after the adoption of such resolution, the Town Clerk of the Town having filed a certified copy of such resolution, in duplicate, in the office of the State Department of of Audit and Control at Albany, New York, together with an application in due form and duly executed in duplicated, for permission to extend such district, and the state comptroller having made an order, in duplicate, under date of January 3rd, 1947, granting permission for the extension of the district, one copy of such order having heretofore been filed in the office of the State Department of Audit and Control at Albany, New York and the other copy thereof filed in the office of the Town Clerk of this Town, and the Town Clerk having presented such order to the Town Board at this meeting thereof,

NOW, THEREFORE, BE IT RESOLVED, that the said existing fire district known as Fire District No. 4 be and it is hereby extended to embrace the following described territory, to wit:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York being part of Lot 18, Township 11, Range 7, bounded and described as follows:

BEGINNING at a point of intersection of the center line of Union Road with the easterly extension of the northerly line of lands as shown on map filed in Erie County Clerk's Office under cover 1595; thence westerly along the north line of lands as shown on map filed under Cover 1595 as above mentioned, and the westerly extension thereof, a distance of 2095.09 feet to the center line of Beach Road; thence north along the center line of Beach Road a distance of 831.22 feet to the north line of Lot 18; thence east along the north line of Lot 18 2050.31 feet to the center line of Union Road and thence south along the center line of Union Road 826.25 feet to the place of beginning, known as the Unionvale extension Subdivision filed in Erie County Clerk's Office under Cover No. 1629.

and

BE IT FURTHER RESOLVED that the Town Clerk shall cause a certified copy of this resolution to be recorded in the office of the Clerk of the County of Erie, New York

Seconded by Mr. Napieralski and duly put to a vote which resulted as follows:

This was published in the official paper of the Town of Cheektowaga. Copy of same is hereto attached.

STATE OF NEW YORK
COUNTY OF ERIE

and Town of Cheektowaga, on the
20th day of January, 1947, at 7:30
P. M., Eastern Standard
Time, there were:

PRESENT:

C. Chase Zalemaki, Supervisor
Stanley Pawlak, Councilman
Frank Henry, Councilman
Nicholas Napieralski, Councilman
Henry Nagel, Councilman
Absent: None.

Mr. Nagel offered the following
resolution and moved its adoption:

WHEREAS, a petition for the
improvement of both sides of the
public highways situate in Consoli-
dated Lighting District of the
Town of Cheektowaga, hereinafter
particularly set forth, by the in-
stallation of street lighting equip-
ment hereinafter particularly de-
scribed was presented to this Town
Board on the 6th day of January,
1947.

PUBLIC HIGHWAYS
TO BE IMPROVED

Names of Highways
Washington Highway

From
Amherst Town Line

To
Kensington Highway

TYPE OF STREET LIGHTING

INSTALLATION

Underground wiring, upright
standards.

WHEREAS, ISIDORE J. MAZU-
ROWSKI, ALFRED KLEBS, and
PAUL WALKOWSKI, owners of

said Town of Cheektowaga have
certified in writing to this board
that the above petition is duly
signed and acknowledged in the
same manner as a deed to be re-
corded by the owners of more than
one-half of the entire frontage or
bounds on both sides of each of
said highways to be improved, as
aforesaid, and

WHEREAS, the portions of said
highways to be improved are sit-
uated entirely in said town outside
of any incorporated village or city
therein,

NOW, THEREFORE

IT IS HEREBY ORDERED that
the Town Board of the Town of
Cheektowaga meet at the Town
Hall in said Town of Cheektowaga
on the 3rd day of February, 1947
at 2:00 o'clock P.M. Eastern Stand-
ard Time, to consider the said peti-
tion and to hear all persons inter-
ested in the subject thereof con-
cerning the same, and

IT IS FURTHER ORDERED

that a copy of this order certified
by the Town Clerk be published at
least once in the Depew Herald
and Cheektowaga News, the official
newspaper of the Town, not less
than (10) nor more than twenty
(20) days before the date set
for the hearing aforesaid and
that copies of this order be posted
conspicuously in five public places
on each of the said highways to be
improved not less than ten (10)
nor more than twenty (20) days

before the day designated for the
hearing as aforesaid.

Seconded by Councilman Napier-
alski and duly put to a vote which
resulted as follows:

C. Chase Zalemaki, voting Aye
Stanley Pawlak, voting Aye
Frank Henry, voting Aye
Nicholas Napieralski, voting Aye
Henry Nagel, voting Aye
Ayes: 5; Noes: 0; Absent: None.

STATE OF NEW YORK:
COUNTY OF ERIE : SS.

I, ALBERT STURM, Town Clerk
of the Town of Cheektowaga, Erie
County, New York, DO HEREBY
CERTIFY that I have compared
the foregoing with the original
minutes of the meeting of the
Town Board of the said Town held
on the 20th day of January, 1947,
and that the foregoing is a true
and correct transcript from said
original resolution and order and
the whole thereof, and that the
resolutions and orders duly adopted
by the said Town Board are on
file in my office.

I FURTHER CERTIFY that all
members of said Town Board had
due notice of said meeting.

IN WITNESS WHEREOF, I
have hereunto set my hand and
the seal of said Town of Cheek-
towaga, this 21st day of January,
1947.

(SEAL)

ALBERT STURM,
Town Clerk

FRANK A. TABER, JR.,

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew

Cheektowaga

Herald and News

a public newspaper published at Depew, Town of Cheek-
towaga, Erie County, New York, that notice of which the
annexed printed slip taken from said newspaper, is a copy,
was inserted and published therein once a week for
one week, the first insertion being on the
20th day of January, 1947, and
the last insertion being on the day of
1947, and that not
more than six days intervened between any two publi-
cations thereof.

day of

for Erie County.

uary as follows:

- p. 2, Washington Hwy.
- p. 4, Washington Hwy.
- p. 5, Washington Hwy.
- p. 3, Washington Hwy.
- p. 6, Washington Hwy.

| | | |
|----------------------|--------|-----|
| C. Chase Zalemski | voting | Aye |
| Stanley Pawlak | voting | Aye |
| Frank Henry | voting | Aye |
| Nicholas Napieralski | voting | Aye |
| Henry Nagel | voting | Aye |

The following petitions were referred to the Petitions Committee for the necessary action:

Petition from Ralph A. Alfano to have lots Nos. 95 and 96, Cover No. 1266, Beachland Subdivision, rezoned from residential to first industrial.

Petition from Hoffeld Estates, Inc., to have lots Nos. 27 and 28, Cover No. 1603, Kensington Ave. and Century Road, southwest corner, rezoned from residence to business, and

Buildign petitions from the Merrill Construction Co. to erect four new homes on Woodridge Ave. in the Town of Cheektowaga.

On motion of Mr. Pawlak, seconded by Mr. Henry, the following resolution was adopted:

RESOLVED, that Supervisor C. Chase Zalemski be and hereby is authorized to pay to the Receiver of Taxes and Assessments, Town of West Seneca, the sum of \$1342.63 for taxes due on 3.11 acres of land known as Disposal Plant No. #3 in the said Town of West Seneca, and owned by the Town of Cheektowaga.

CARRIED: Ayes: -5- Noes: -0-

Mr. Henry moved the following resolution and it was seconded by Mr. Napieralski:

WHEREAS, Raymond Przybyysz has been certified by the Civil Service Board as a Janitor for the Town of Cheektowaga,

NOW, THEREFORE, BE IT RESOLVED, that Raymond Przybyysz be appointed Janitor for the Town Hall, and at a salary as provided for in the Budget.

CARRIED: Ayes: -5- Noes: -0-

Mr. Napieralski moved the following resolution and it was seconded by Mr. Henry:

RESOLVED, that Charles Culp be given a provisional appointment as Disposal Plant Operator of Disposal Plant #5, and be it further

RESOLVED, that the said Charles Culp be authorized to attend school for said operators and the expense of same be a charge against the Town of Cheektowaga.

CARRIED: Ayes: -5- Noes: -0-

Mr. Pawlak offered the following resolution and moved its adoption, and it was seconded by Mr. Henry:

RESOLVED, that Supervisor Zalemski be authorized to employ and hire the necessary help and machinery to repair the sewer on Maryvale Road in the Town of Cheektowaga at a price not to exceed \$2500.00.

CARRIED: Ayes: -5- Noes: -0-

A committee from the Bellevue section in the Town of Cheektowaga stated to the Board that a speed limit should be placed on Como Park Blvd. and Rowley Road in that part of the Town, and that some road fences needed repairs.

Supervisor Zalemski referred this request to the Public Health Committee, Town Attorney, Supt. of Highways and Chief of Police for study.

Communication from the Secretary of Board of Fire Commissioners, Dist. No. 4, stating that one of their firemen was injured on January 11th, 1947 while attending a fire was read.

This was referred to the Town Attorney and Insurance Co. for the necessary action by the Supervisor.

On motion of Mr. Pawlak, seconded by Mr. Napieralski, the Town Clerk was authorized to notify the Buffalo Niagara Electric Corporation to repair and place back in service, street light standards Nos. 1872, located at Kensington Avenue, and standard 3577 on Harlem Road.

CARRIED:

Ayes: -5-

Noes: -0-

Mr. Pawlak offered the following resolution and moved its adoption:

WHEREAS, it appears that the existing sewer system of Sewer District No. 5 of this Town is inadequate to serve the present and future needs of said Sewer District,

NOW, THEREFORE, BE IT RESOLVED, that this Town Board does hereby determine it necessary for the proper maintenance and service of the trunk sewer system of Sewer District No. 5 of this Town to increase and improve the facilities thereof and appurtenances thereto, and

BE IT FURTHER RESOLVED, that Newell L. Nussbaumer and Irving Clarke, doing business as Nussbaumer & Clarke, competent Civil Engineers, duly licensed by the State of New York, be and they hereby at directed to prepared a map and a general plan for the improvement of such sewer system and the increase of the facilities thereof.

Seconded by Mr. Napieralski and duly put to a vote which resulted as follows:

| | | |
|----------------------|--------|-----|
| C. Chase Zalemski | voting | Yes |
| Nicholas Napieralski | voting | Yes |
| Henry Nagel | voting | Yes |
| Frank Henry | voting | Yes |
| Stanley E. Pawlak | voting | Yes |

ABSENT: -0-

CARRIED.

Mr. Pawlak offered the following resolution and moved its adoption:

WHEREAS, there have occurred within the past ten years fourteen accidents involving collisions of automobiles with trains at the crossing at grade of Ray Road, also known as Schoolhouse Road, by the tracks of the New York Central Railroad, one of which accidents caused two fatalities, and

WHEREAS, there have occurred within the past ten years sixteen accidents involving collisions of automobiles with trains at the crossing at grade of Dick Road by the tracks of the New York Central Railroad, one of which accidents caused three fatalities,

NOW, THEREFORE, BE IT RESOLVED, that the Public Service Commission of the State of New York be requested to immediately investigate the traffic conditions at the Ray Road and Dick Road grade crossings in the Town of Cheektowaga and to order the New York Central Railroad to install safety devices and safety provisions to reduce the accident potential at both of these crossings without delay, and

BE IT FURTHER RESOLVED, that the said Public Service Commission at once initiate a proceeding to eliminate the Dick Road grade crossing, and

BE IT FURTHER RESOLVED, that the Town Attorney determine whether Ray Road can be closed and discontinued as a Town Highway, and

BE IT FURTHER RESOLVED, that the Supervisor and Town Attorney be and they hereby are authorized to take all steps required to implement this resolution including the execution of all instruments and the institution of all proceedings necessary therefor, and

BE IT FURTHER RESOLVED, that the Supervisor be and he hereby is directed to introduce a resolution for adoption by the Erie County Board of Supervisors whereby the County of Erie shall support the Dick Road Grade Crossing elimination, and

BE IT FURTHER RESOLVED, that the Town Clerk immediately send certified copies of this resolution to the Public Service Commission and the New York Central Railroad.

Seconded by Mr. Napieralski and duly put to a vote which resulted as follows:

| | | |
|----------------------|--------|-----|
| C. Chase Zalemski | voting | Aye |
| Stanley Pawlak | voting | Aye |
| Frank Henry | voting | Aye |
| Nicholas Napieralski | voting | Aye |
| Henry Nagel | voting | Aye |

On motion of Mr. Nagel, seconded by Mr. Napieralski, the following claims were allowed and audited and the Town Clerk was authorized to draw orders on the Supervisor for payment of same.

CARRIED: Ayes: -5- Noes: -0-

CLAIMS

| | | |
|---------------------|--|---------|
| N.Y. Telephone | -for telephone service, Civilian Protection..... | 44.25 |
| Sutton Petroleum | -for oil, Police..... | 46.80 |
| Adolph Gaiser | -for maps, Assessors & Engineering..... | 210.00 |
| Bflo. Niagara Elec. | -for elec. current, Dec. 1946..... | 1628.48 |
| Bflo. Niagara Elec. | -for traffic, signals, Dec..... | 28.92 |
| Bflo. Niagara Elec. | -for elec. current, pump station..... | 220.93 |
| Frank Lo Bue | -for plumbing work at Town Hall..... | 25.75 |
| Jerge Sales | -for supplies, Garbage Dept..... | 27.57 |
| Arthur Loos | -for lettering signs, Town Hall..... | 24.75 |
| Lyth Chevrolet | -for supplies, Police..... | 22.85 |
| Reynders Elec. | -for work at Disp. #5..... | 21.10 |
| Niagara Lubricant | -for supplies, Disp. #5..... | 48.84 |
| Millington Lockwood | -for supplies, Supervisors Office..... | 6.20 |

| | |
|--|---------|
| Millington Lockwood-for supplies, Assessors..... | 12.60 |
| Millington Lockwood-for supplies, Dept. of Pub. Wks..... | 3.00 |
| Millington Lockwood-for supplies, Tax Office..... | 40.00 |
| Millington Lockwood-for supplies, Town Clerk..... | 2.76 |
| Reynders Elec. -for work at Town Garage..... | 21.65 |
| Reynders Elec. -for repair signal, Harlem & Cleveland. | 6.60 |
| Joseph Kranz -for work at Town Hall..... | 104.50 |
| Henry R. Duch -for supplies, Town Hall..... | 2.50 |
| Paul M. Pfohl -for garbage rental 4-30 to 12-31-46... | 933.28 |
| John P. O'Neill -for work, Police Dept..... | 40.60 |
| Federal Laboratories-for fingerprints kit, Police..... | 38.27 |
| C. B. Dolge -for supplies, Town Hall..... | 9.37 |
| Oldman Boiler Wks. -for work on Town Hall Boiler..... | 2896.65 |
| Oldman Boiler Wks. -for work on Town Garage Boiler..... | 33.25 |
| "Edward O. Winegar -for supplies, Election Booths..... | 22.61 |
| Edward O. Winegar -for supplies, Town Hall..... | .40 |
| Edward O. Winegar -for supplies, Disp. Plant..... | 2.37 |
| Commercial Blue Print-for supplies, Assessors..... | 32.30 |
| Niagara Window Cleaning -for washing windows, Town Hall..... | 36.00 |
| Iroquois Gas -for gas, sewer..... | 471.55 |
| Iroquois Gas -for gas, Harlem Lift Station..... | 38.05 |
| Kimball Co. -for supplies, Garbage Dept..... | 22.50 |
| Terminal Petroleum-for gasoline, Police..... | 182.24 |
| Kellogg Petroleum -for gasoline, Disp. #5..... | 47.60 |
| Ray Racinowski -for coal, Disp. #3..... | 50.46 |
| Cheektowaga Lumber -for supplies, Disp. #5..... | 14.50 |
| Lehigh Valley R.R. -for freight charges, Disp. #5..... | .63 |
| N.Y.State Assessors-for membership dues, 1947..... | 3.00 |
| N.Y.State Elec. & Gas -for elec. service, Tool House..... | 11.28 |
| N.Y.State Elec. & Gas -for elec. service, Disp. #3..... | 64.38 |

On motion of Mr. Napieralski, seconded by Mr. Nagel, the Board adjourned.

CARRIED:

Ayes: -5-

Noes: -0-

ALBERT STURM
Town Clerk

Cheektowaga, N.Y.
January 27th, 1947

At a Special meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held in the Town Hall of said Town on the 27th day of January, 1947, at 3:00 o'clock p.m., E.S.T. there were:

PRESENT:

| | |
|----------------------|------------|
| C. Chase Zalemski | Supervisor |
| Stanley Pawlak | Councilman |
| Nicholas Napieralski | Councilman |
| Frank Henry | Councilman |

ABSENT:

| | |
|--------------|-------------|
| Henry Nagel | Councilman |
| PRESENT: -4- | ABSENT: -1- |

The Supervisor stated that the purpose of this meeting is to discuss the Housing Authority Sanitary & Storm sewer district in the Ti-O-Run-Da Project and such other business as may come before the Board.

Councilman Pawlak offered the following resolution and moved its adoption:

WHEREAS, the attention of this Board has been called to a mistake in the levy of the sewer tax of Sewer District No. 5 against the property of the Twin Coach Company on Cayuga Road in the Town of Cheektowaga, which property is described on the tax rolls, as follows; to wit: Cayuga Road, east side, 21.3 acres, the mistake consisting of a clerical error whereby the computation of the tax was based upon an area of 213 acres rather than 21.3 acres and the amount of the tax levied as a result of such error being the sum of Six thousand six hundred thirty-seven and 44/100 (\$6,637.44) dollars, whereas the correct amount of the tax which should have been levied is the amount of Six hundred sixty-three and 74/100 (\$663.74) dollars, and

WHEREAS, the tax rolls and warrant thereto attached of the Board of Supervisors should be corrected accordingly,

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor petition the Board of Supervisors to correct the tax rolls of the Town of Cheektowaga to show the proper assessment for sewer tax of the property of the Twin Coach Company as above set forth and the warrant of the Board of Supervisors thereto attached be corrected accordingly.

Seconded by Councilman Henry and duly put to a vote which resulted as follows:

| | | | |
|----------------------|-----------|-----------|--|
| C. Chase Zalemski | voting | Aye | |
| Stanley Pawlak | voting | Aye | |
| Nicholas Napieralski | voting | Aye | |
| Frank Henry | voting | Aye | |
| CARRIED: | Ayes: -4- | Noes: -0- | |
| ABSENT: -1- | | | |

On motion of Councilman Pawlak, seconded by Councilman Napieralski, the Board adjourned.

| | | |
|----------|----------|-----------|
| CARRIED: | Aye: -4- | Noes: -0- |
|----------|----------|-----------|

ALBERT STURM
Town Clerk

February 3, 1947

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in said Town of Cheektowaga on the 3rd day of February, 1947 at 2 o'clock P.M., Eastern Standard Time, there were:

PRESENT:

| | |
|----------------------|------------|
| Stanley Pawlak | Councilman |
| Frank Henry | Councilman |
| Nicholas Napieralski | Councilman |
| Henry Nagel | Councilman |

ABSENT:

| | |
|-------------------|------------|
| C. Chase Zalemski | Supervisor |
|-------------------|------------|

PRESENT: -4-

ABSENT: -1-

The Town Clerk called the meeting to order and on motion of Mr. Henry, seconded by Mr. Nagel, Councilman Pawlak, was authorized to act as Chairman of the meeting during the absence of Mr. Zalemski.

CARRIED:

Ayes: -4-

Noes: -0-

The Town Clerk then proceeded to read the minutes of the Town Board meeting held on January 20th, 1947 and there being no alterations or corrections to same it was moved by Councilman Henry, seconded by Councilman Nagel these minutes be approved as read and be placed on file.

CARRIED:

Ayes: -4-

Noes: -0-

On motion of Councilman Nagel, seconded by Councilman Napieralski, Supervisor Zalemski and Town Attorney Kenneth W. Kitzinger be authorized to contact the Western New York Water Company for water service on Sobieski St.

Moved by Councilman Henry, seconded by councilman Napieralski, Isidore J. Mazurowski attend a hearing of the New York Telephone Company the week of February 17th, 1947 in New York City on the matter of Assessments.

CARRIED:

Ayes: -4-

Noes: -0-

Mr. Bartczak,
Edward Burnicki.
E. Loth,

Spoke in objection to Merrill Construction Company building homes on Woodridge Avenue.

Mr. Nagel offered the following resolution and moved its adoption:

WHEREAS, Merrill Construction Company of 1377 Main Street, Buffalo, New York, has filed applications for building permits for houses on Lots 13, 14, 15 and 16 on Woodridge Avenue in the Town of Cheektowaga which applications are not accompanied by the required plans, specifications and plot plans in triplicate, and

WHEREAS, the building and plumbing inspector has reported to your Town Board that the plans that were submitted to him in connection with these applications do not comply with the plumbing and drainage ordinance and building code of this Town,

NOW, THEREFORE, BE IT RESOLVED, that the applications for building permits of the Merrill Construction Company to build houses on Lots 13, 14, 15 and 16 on Woodridge Avenue in the Town of Cheektowaga

be and the same hereby are denied for the reason that the applications are not in proper form and complete and the houses would not conform to the requirements of the plumbing and drainage ordinance and building code of the Town of Cheektowaga.

Seconded by Mr. Henry and duly put to a vote which results as follows:

| | | |
|----------------------|-------------|-----------|
| Stanley Pawlak | voting | Aye |
| Frank Henry | voting | Aye |
| Nicholas Napieralski | voting | Aye |
| Henry Nagel | voting | Aye |
| CARRIED: | Ayes: -4- | Noes: -0- |
| | ABSENT: -1- | |

The Town Clerk proceeded to read the above petition for street lighting of Washington Highway from Amherst Town Line to Kensington Highway.

Councilman Pawlak, asked if there was anyone present who wished to speak in favor of this improvement. No one was heard.

Councilman Pawlak, asked if there was anyone present who wished to speak in opposition to the improvement. No one was heard. Councilman Nagel, seconded by Councilman Henry, moved the adoption of this petition.

Ayes: -4- Noes: -0-

open
closed
Henry
Nagel
4-0

FRANK A. TARKER, JR.,

being duly sworn, deposes and says that he is the

PUBLISHER of the

Depew Cheektowaga
Herald and News

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 22nd day of January, 1947, and the last insertion being on the _____ day of _____, 19____, and that not more than six days intervened between any two publications thereof.

Frank A. Tarker, Jr.

Sworn to before me this 3 day of

February 1947

Arthur Starn

Notary Public in and for Erie County.

The following resolution was offered by Mr. Napieralski who moved its adoption, seconded by Mr. Henry:

WHEREAS, there has heretofore been duly established a public park in and for the Town of Cheektowaga known as George Urban Town of Cheektowaga Park and there has been acquired land as a site for said park on Harlem Road in the Town of Cheektowaga, and

WHEREAS, it is in the best interest of the Town of Cheektowaga to acquire additional land adjacent to the land already acquired to extend the boundaries of the said park,

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Cheektowaga, New York, as follows:

1. That the following described land be acquired as an addition to the present site of the George Urban Town of Cheektowaga Park at a total estimated cost of not to exceed \$6,500.00:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 34, Township 11, Range 7, of the Holland Land Company's Survey, and being more particularly bounded and described as follows:

BEGINNING at a point in the westerly line of Harlem Road, being also the easterly line of said Lot No. 34, at the northeasterly corner of lands conveyed by Anthony Kuhn to Tobias Baumer by deed dated June 8, 1869, and recorded in Erie County Clerk's Office June 11, 1869, in Liber 289 of Deeds at page 26, said point of beginning being distant seven hundred forty-two and fifty hundredths (742.50) feet northerly from the southeasterly corner of said Lot No. 34, as measured along said westerly line of Harlem Road, as shown on Survey No. NC-10952 made by Nussbaumer & Clarke, Inc., dated April 10, 1946; running thence westerly along the southerly line of lands conveyed to the Town of Cheektowaga by deed dated November 6, 1946, and recorded in the Erie County Clerk's Office November 15, 1946, in Liber 4019 of Deeds at Page 356 two thousand one hundred ninety-one and fifty-seven hundredths (2191.57) feet more or less to a point, said point being one hundred ten and ninety-three hundredths (110.93) feet more or less westerly from the northwesterly line of the new channel Scajaquada Creek as the same is shown on the aforesaid Survey No. NC-10952 made by Nussbaumer & Clarke, Inc.; thence southwesterly and on a line parallel to the said northwesterly line of the new channel of Scajaquada Creek two hundred eleven and thirty-nine hundredths (211.39) feet more or less to a point; thence easterly and on a line parallel to the north line hereof two thousand three hundred thirty-nine and thirty-eight hundredths (2339.38) feet more or less to said westerly line of Harlem Road; thence northerly along said westerly line Of Harlem Road one hundred fifty-two and forty-six hundredths (152.46) feet more or less to the point or place of beginning.

2. That for the purpose of paying the cost of the acquisition of the hereinbefore described land, there is hereby appropriated from surplus funds of the Town of Cheektowaga on hand and available therefore the sum of \$6,500.00, being the estimated cost of said land and said monies to be paid from the sum of \$175,000.00 heretofore appropriated for the purpose of establishing and improving the said park.

be and the same hereby are denied for the reason that the applications are not in proper form and complete and the houses would not conform to the requirements of the plumbing and drainage ordinance and building code of the Town of Cheektowaga.

Seconded by Mr. Henry and duly put to a vote which resultes as follows:

Stanley Pawlak
Frank Henry
Nicholas Napieralski
Henry Nagel

voting Aye
voting Aye
voting Aye
voting Aye
Ayes: -4-
ABSENT: -1-

Noes: -0-

CARRIED:

The Town Clerk proceeded to read the above petition for street lighting of Washington Highway from Amherst Town Line to Kensington Highway.

Councilman Pawlak, asked if there was anyone present who wished to speak in favor of this improvement. No one was heard.

Councilman Pawlak, asked if there was anyone present who wished to speak in opposition to the improvement. No one was heard.

Moved by Councilman Nagel, seconded by Councilman Henry, the Town Board approve of this petition.

CARRIED:

Ayes: -4-

Noes: -0-

STATE OF NEW YORK
COUNTY OF ERIE

IN SENATE
JANUARY 21, 1947
REPORT OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK, MADE AT THE TOWN HALL, IN SAID TOWN OF CHEEKTOWAGA, ON THE 20TH DAY OF JANUARY, 1947, AT 7:30 O'CLOCK P. M., EASTERN STANDARD TIME, THERE WERE:

PRESENT:
C. Chase Zaleski, Supervisor
Stanley Pawlak, Councilman
Frank Henry, Councilman
Nicholas Napieralski, Councilman
Henry Nagel, Councilman
ABSENT: None.

Mr. Nagel offered the following resolution and moved its adoption:

WHEREAS, a petition for the improvement of both sides of the public highways situated in Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 6th day of January, 1947.

PUBLIC HIGHWAYS

TO BE IMPROVED

Names of Highways

Washington Highway

From

Amherst Town Line

To

Kensington Highway

TYPE OF STREET LIGHTING

INSTALLATION

Underground wiring, upright standards.

WHEREAS, ISIDORE J. MAZURKOWSKI, ALFRED KLESS and PAUL WALKOWSKI, Assessors of said Town of Cheektowaga have certified in writing to this board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage or bounds on both sides of each of said highways to be improved, as aforesaid, and

WHEREAS, the portions of said highways to be improved are situated entirely in said town outside of any incorporated village or city therein,

NOW, THEREFORE

IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall, in said Town of Cheektowaga on the 3rd day of February, 1947 at 2:00 o'clock P.M. Eastern Standard Time, to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED that a copy of this order certified by the Town Clerk be published at least once in the Depew Herald and Cheektowaga News, the official newspaper of the Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing aforesaid and that copies of this order be posted conspicuously in five public places on each of the said highways to be improved not less than ten (10) nor more than twenty (20) days before the day designated for the hearing as aforesaid.

Seconded by Councilman Napieralski and duly put to a vote which resulted as follows:

C. Chase Zaleski, voting Aye
Stanley Pawlak, voting Aye
Frank Henry, voting Aye
Nicholas Napieralski, voting Aye
Henry Nagel, voting Aye
Ayes: 5; Noes: 0; Absent: None.

STATE OF NEW YORK:

COUNTY OF ERIE : SS.

I, ALBERT STURM, Town Clerk of the Town of Cheektowaga, Erie County, New York, DO HEREBY CERTIFY that I have compared the foregoing with the original minutes of the meeting of the Town Board of the said Town held on the 20th day of January, 1947, and that the foregoing is a true and correct transcript from said original resolution and order and the whole thereof, and that the resolutions and orders duly adopted by the said Town Board are on file in my office.

I FURTHER CERTIFY that all members of said Town Board had due notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said Town of Cheektowaga, this 21st day of January, 1947.

(SEAL) ALBERT STURM, Town Clerk

FRANK A. TABER, JR.

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew

Cheektowaga

Herald and News

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the

annexed printed slip taken from said newspaper, is a copy,

was inserted and published therein once a week for

one week, the first insertion being on the

23rd day of January, 1947, and

the last insertion being on the day of

19, and that not

more than six days intervened between any two publications thereof.

Frank A. Taber, Jr.

3 day of

4 1947

Sturm

able in and for Erie County.

The following resolution was offered by Mr. Napieralski who moved its adoption, seconded by Mr. Henry:

WHEREAS, there has heretofore been duly established a public park in and for the Town of Cheektowaga known as George Urban Town of Cheektowaga Park and there has been acquired land as a site for said park on Harlem Road in the Town of Cheektowaga, and

WHEREAS, it is in the best interest of the Town of Cheektowaga to acquire additional land adjacent to the land already acquired to extend the boundaries of the said park,

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Cheektowaga, New York, as follows:

1. That the following described land be acquired as an addition to the present site of the George Urban Town of Cheektowaga Park at a total estimated cost of not to exceed \$6,500.00:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 34, Township 11, Range 7, of the Holland Land Company's Survey, and being more particularly bounded and described as follows:

BEGINNING at a point in the westerly line of Harlem Road, being also the easterly line of said Lot No. 34, at the northeasterly corner of lands conveyed by Anthony Kuhn to Tobias Baumer by deed dated June 8, 1869, and recorded in Erie County Clerk's Office June 11, 1869, in Liber 289 of Deeds at page 26, said point of beginning being distant seven hundred forty-two and fifty hundredths (742.50) feet northerly from the southeasterly corner of said Lot No. 34, as measured along said westerly line of Harlem Road, as shown on Survey No. NC-10952 made by Nussbaumer & Clarke, Inc., dated April 10, 1946; running thence westerly along the southerly line of lands conveyed to the Town of Cheektowaga by deed dated November 6, 1946, and recorded in the Erie County Clerk's Office November 15, 1946, in Liber 4019 of Deeds at Page 356 two thousand one hundred ninety-one and fifty-seven hundredths (2191.57) feet more or less to a point, said point being one hundred ten and ninety-three hundredths (110.93) feet more or less westerly from the northwesterly line of the new channel Scajaquada Creek as the same is shown on the aforesaid Survey No. NC-10952 made by Nussbaumer & Clarke, Inc.; thence southwesterly and on a line parallel to the said northwesterly line of the new channel of Scajaquada Creek two hundred eleven and thirty-nine hundredths (211.39) feet more or less to a point; thence easterly and on a line parallel to the north line hereof two thousand three hundred thirty-nine and thirty-eight hundredths (2339.38) feet more or less to said westerly line of Harlem Road; thence northerly along said westerly line of Harlem Road one hundred fifty-two and forty-six hundredths (152.46) feet more or less to the point or place of beginning.

2. That for the purpose of paying the cost of the acquisition of the hereinbefore described land, there is hereby appropriated from surplus funds of the Town of Cheektowaga on hand and available therefore the sum of \$6,500.00, being the estimated cost of said land and said monies to be paid from the sum of \$175,000.00 heretofore appropriated for the purpose of establishing and improving the said park.

3. That this resolution is subject to permissive referendum. Within ten days after the adoption of this resolution, the Town Clerk, in the same manner as provided for notice of a special election, shall post and publish a notice setting forth the date of adoption hereof and containing an abstract of this resolution concisely stating the purpose and effect hereof.

The question of the adoption of the foregoing resolution was duly put to a vote which resulted as follows:

| | | | |
|----------------------|-------------------|-----------|--|
| Stanley Pawlak | voting | Aye | |
| Frank Henry | voting | Aye | |
| Nicholas Napieralski | voting | Aye | |
| Henry Nagel | voting | Aye | |
| CARRIED: | Ayes: -4- | Noes: -0- | |
| ABSENT: | C. Chase Zalemski | | |

The resolution was thereupon declared duly adopted.

NOTICE OF ADOPTION OF

RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK SUBJECT TO PERMISSIVE REFERENDUM

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga on February 3, 1947, adopted a resolution, subject to permissive referendum, an abstract of which is as follows:

Resolution authorizing the acquisition of land as an addition to the present site of the George Urban Town of Cheektowaga Park which additional lands is described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York being part of Lot No. 34, Township 11, Range 7 of the Holland Land Company's Survey, and being more particularly bounded and described as follows:

BEGINNING at a point in the westerly line of Harlem Road, being also the easterly line of said Lot No. 34, at the northeasterly corner of lands conveyed by Anthony Kuhn to Tobias Baumer by deed dated June 8, 1869, and recorded in Erie County Clerk's Office June 11, 1869, in Liber 289 of Deeds at page 26, said point of beginning being distant seven hundred forty-two and fifty hundredths (742.50) feet northerly from the southeasterly corner of said Lot No. 34, as measured along said westerly line of Harlem Road, as shown on Survey No. NC-10952 made by Nussbaumer & Clarke, Inc., dated April 10, 1946; running thence westerly along the southerly line/lands conveyed to the Town of Cheektowaga by deed dated November 6, 1946, and recorded in the Erie County Clerk's Office November 15, 1946, in Liber 4019 of Deeds at Page 356 two thousand one hundred ninety-one and fifty-seven hundredths (2191.57) feet more or less to a point, said point being one hundred ten and ninety-three hundredths (110.93) feet more or less westerly from the northwesterly line of the new channel of Scajaquada Creek as the same is shown on the aforesaid Survey No. NC-10952 made by Nussbaumer & Clarke, Inc.; thence southwesterly and on a line parallel to the said northwesterly line of the new channel of Scajaquada Creek two hundred eleven and thirty-nine hundredths (211.39) feet more or less to a point; thence easterly and on a line parallel to the north line hereof two thousand three

hundred thirty-nine and thirty-eight hundredths (2339.38) feet more or less to said westerly line of Harlem Road; thence northerly along said westerly line of Harlem Road one hundred fifty-two and forty-six hundredths (152.46) feet more or less to the point or place of beginning.

at a total estimated cost of \$6,500.00; appropriating for said project from surplus funds on hand and available therefor the sum of \$6,500.00 which sum is to taken from the sum of \$175,000.00 heretofore appropriated for the purpose of establishing and improving said public park; and providing for permissive referendum and giving notice thereof.

February 3, 1947

ALBERT STURM
Town Clerk
Town of Cheektowaga.

STATE OF NEW YORK :
COUNTY OF ERIE : SS
TOWN OF CHEEKTOWAGA :

GLADYS E. STURM, being duly sworn, deposes and says that she is the Deputy Town Clerk of the Town of Cheektowaga and that she did on the 13th day of February, 1947, cause to be posted copies of the annexed notice at each of the following public places in the Town of Cheektowaga by securely fastening a true copy thereof at each of the respective places indicated:

- and Union.
1. On the bulletin board at the Town Hall, Broadway
 2. Zapfel Bros. Garage, cor, Genesee & Harlem Roads.
 3. Pine Hill Hose Company, Genesee & Normandy.
 4. Cleveland Hill Hose Company, Harlem Avenue.
 5. Rescue Fire House, Walden Avenue.
 6. Doyle Fire House, William & Alaska Sts.

Gladys E. Sturm

Sworn to before me this
3rd day of March, 1947.

Stanley Isbrandt.
Notary Public, Erie Co., New York

hundred thirty-nine and thirty-eight hundredths (2339.38) feet more or less to said westerly line of Harlem Road; thence northerly along said westerly line of Harlem Road one hundred fifty-two and forty-six hundredths (152.46) feet more or less to the point or place of beginning.

at a total estimated cost of \$6,500.00; appropriating for said project from surplus funds on hand and available therefor the sum of \$6,500.00 which sum is to be taken from the sum of \$175,000.00 heretofore appropriated for the purpose of establishing and improving said public park; and providing for permissive referendum and giving notice thereof.

February 3, 1947

ALBERT STURM
Town Clerk
Town of Cheektowaga.

STATE OF NEW YORK :
COUNTY OF ERIE : SS
TOWN OF CHEEKTOWAGA :

... from the northwesterly line of the new channel of Scatequa Creek as the same is shown on the street map No. NC-10393 made by Nussbaumer & Clarke, Inc.; thence southwesterly and on a line parallel to the said northwesterly line of the new channel of Scatequa Creek two hundred eleven and thirty-nine hundredths (211.39) feet more or less to a point; thence westerly and on a line parallel to the said line two thousand three hundred thirty-nine and thirty-eight hundredths (2339.38) feet more or less to said westerly line of Harlem Road; thence northerly along said westerly line of Harlem Road one hundred fifty-two and forty-six hundredths (152.46) feet more or less to the point or place of beginning.

at a total estimated cost of \$6,500.00; appropriating for said project from surplus funds on hand and available therefor the sum of \$6,500.00 which sum is to be taken from the sum of \$175,000.00 heretofore appropriated for the purpose of establishing and improving said public park; and providing for permissive referendum and giving notice thereof.

February 3, 1947.
ALBERT STURM,
Town Clerk
Town of Cheektowaga

ss:

FRANK A. TARKER, JR.,

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga
Herald and News

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 6th day of February, 1947 and the last insertion being on the _____ day of _____, 19____, and that not more than six days intervened between any two publications thereof.

Frank A. Tarker, Jr.

Sworn to before me this 25th day of

February 1947

Stanley L. Isham
Notary Public in and for Erie County.

hundred thirty-nine and thirty-eight hundredths (2339.38) feet more or less to said westerly line of Harlem Road; thence northerly along said westerly line of Harlem Road one hundred fifty-two and forty-six hundredths (152.46) feet more or less to the point or place of beginning.

at a total estimated cost of \$6,500.00; appropriating for said project from surplus funds on hand and available therefor the sum of \$6,500.00 which sum is to be taken from the sum of \$175,000.00 heretofore appropriated for the purpose of establishing and improving said public park; and providing for permissive referendum and giving notice thereof.

February 3, 1947

ALBERT STURM
Town Clerk
Town of Cheektowaga.

STATE OF NEW YORK :
COUNTY OF ERIE : SS
TOWN OF CHEEKTOWAGA :

STATE OF NEW YORK
COUNTY OF ERIE

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga on February 2, 1947, adopted a resolution subject to permissive referendum, an abstract of which is as follows:

Resolution authorizing the acquisition of land as an addition to the present site of the George Urban Town of Cheektowaga Park, which additional land is described as follows:

ALL THAT TRACT OR PARCELS OF LAND, situate in the Town of Cheektowaga, County of Erie, and State of New York, being part of Lot No. 34, Township 11, Range 7, of the Holland Land Company's Survey, and being more particularly bounded and described as follows:

Beginning at a point in the westerly line of Harlem Road, being also the easterly line of said Lot No. 34, at the northeasterly corner of lands conveyed by Anthony Kuhn to Tobias Baumer by deed dated June 3, 1869, and recorded in Erie County Clerk's Office June 11, 1869, in Liber 289 of Deeds at page 26, said point of beginning being distant seven hundred forty-two and fifty hundredths (742.50) feet northerly from the southeasterly corner of said Lot No. 34, as measured along said westerly line of Harlem Road, as shown on Survey No. NC-10932 made by Nussbaumer & Clarke, Inc., dated April 10, 1946; running thence westerly along the southerly line of lands conveyed to the Town of Cheektowaga by deed dated November 6, 1946, and recorded in the Erie County Clerk's Office November 15, 1946, in Liber 4019 of Deeds at page 302 two hundred one hundred ninety-one and fifty seven hundredths (2191.57) feet more or less to a point, said point being one hundred ten and ninety-three hundredths (110.93) feet more or less westerly from the northwesterly line of the new channel of Scajaquada Creek as the same is shown on the aforesaid Survey No. NC-10932 made by Nussbaumer & Clarke, Inc.; thence southwesterly and on a line parallel to the said northwesterly line of the new channel of Scajaquada Creek two hundred eleven and thirty-nine hundredths (211.39) feet more or less to a point; thence easterly and on a line parallel to the north line hereof two thousand three hundred thirty-nine and thirty-eight hundredths (2339.38) feet more or less to said westerly line of Harlem Road; thence northerly along said westerly line of Harlem Road one hundred fifty-two and forty-six hundredths (152.46) feet more or less to the point or place of beginning.

at a total estimated cost of \$6,500.00; appropriating for said project from surplus funds on hand and available therefor the sum of \$6,500.00 which sum is to be taken from the sum of \$175,000.00 heretofore appropriated for the purpose of establishing and improving said public park; and providing for permissive referendum and giving notice thereof.

February 3, 1947.
ALBERT STURM,
Town Clerk
Town of Cheektowaga.

FRANK A. TABER, JR.,

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga
Herald and News

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy,

was inserted and published therein once a week for

one week, the first insertion being on the day of February, 1947, and

continuing on the day of

1947, and that not

six days intervened between any two publications.

Frank A. Taber, Jr.

Erie County.

Mr. Fred Stahlecker, 335 Johnson Street, Buffalo, New York spoke for water and sewer service on Beachwood Road. This request was referred to the Board of Fire Commissioners by Chairman Pawlak.

Residents of William & Harlem section spoke for Police duty during school hours in that vicinity.

On motion of Mr. Henry, seconded by Mr. Napieralski, the following resolution was adopted:

WHEREAS, JOSEPH J. MUELLER has petitioned the Town Board of the Town of Cheektowaga to re-zone the hereinafter described property from a residential district to a business district in the Town of Cheektowaga.

NOW, THEREFORE, BE IT RESOLVED, that the following notice of hearing on the proposed change of the Zoning Map and Zoning Ordinance of the Town of Cheektowaga be published in the official paper of the Town of Cheektowaga.

STATE OF NEW YORK
COUNTY OF ERIE

ss.:

of Cheektowaga, County of Erie, State of New York at the Town Hall in said Town on the 17th day of February, 1947, at 7:30 o'clock P. M., Eastern Standard Time, of said day, for the purpose of considering the application of Joseph J. Mueller, for the rezoning from "Residence District" to "Business District" of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly.

DESCRIPTION

Lots No. 218-219, Map Cover 1417; Pine Ridge Heights Corner of Genesee St. and St. James Road with 70 foot frontage on Genesee St. and 125 feet on St. James Rd. All parties in interest and citizens will be given an opportunity to be heard in respect to such proposed application and amendments.

Dated: February 3, 1947.

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

ALBERT STONE,
Town Clerk

FRANK A. TABER, JR.,

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga
Herald and News

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 6th day of February, 1947, and the last insertion being on the _____ day of _____, 19____, and that not more than six days intervened between any two publications thereof.

Frank A. Taber, Jr.

Sworn to before me this 25th day of

February 1947

Stanley L. Gebhardt
Notary Public in and for Erie County.

and be it further

RESOLVED, that the above notice be published at least once in the Depew Herald and Cheektowaga News, the official paper of the Town at least ten day before the date of hearing and the Town Clerk is hereby authorized to publish same as herein provided.

CARRIED:

Ayes: -4-

Noes: -0-

(This was published according to law.)

The above petition was accompanied by a petition signed by 23 property owners in favor of granting the re-zoning of the property as requested by Joseph J. Mueller.

On motion of Mr. Henry, seconded by Mr. Napieralski, the following resolution was adopted:

WHEREAS, RALPH L. ALFANO, has petitioned the Town Board of the Town of Cheektowaga to re-zone the hereinafter described property from a residential district to a business district in the Town of Cheektowaga.

NOW, THEREFORE, BE IT RESOLVED, that the following notice of hearing on the proposed change of the Zoning Map and Zoning Ordinance of the Town of Cheektowaga be published in the official paper of the Town of Cheektowaga.

STATE OF NEW YORK
COUNTY OF ERIE

I, the undersigned, Clerk of the Town of Cheektowaga, do hereby certify that the following is a true and correct copy of the notice of hearing on the proposed change of the Zoning Map and Zoning Ordinance of the Town of Cheektowaga, as published in the official paper of the Town of Cheektowaga, the Depew Herald and News, on the 17th day of February, 1947, at 7:30 o'clock P. M., Eastern Standard Time of said day, for the purpose of considering the application of Ralph L. Alfano for the rezoning from "Residence District" to "First Industrial District" of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly.

DESCRIPTION
ALL THOSE TRACTS OR PARCELS OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Farm Lot No. 25, Township 11, Range 7 of the Holland Land Company's Survey and according to a map of Beechland Subdivision filed in the office of the Clerk of the County of Erie under Map Cover No. 1266 are known and distinguished as Subdivision Lots Numbers ninety-five (95) and ninety-six (96).

All parties in interest and citizens will be given an opportunity to be heard in respect to such proposed application and amendments.

Dated: February 3, 1947.

By order of the Town Board
ALBERT STURM,
Town Clerk

FRANK A. TAKER, JR.,

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew
Herald and News

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the

annexed printed slip taken from said newspaper, is a copy,

was inserted and published therein once a week for

our week, the first insertion being on the 6th day of February, 1947, and

the last insertion being on the day of

....., 19....., and that not

more than six days intervened between any two publi-

cations thereof.

Frank A. Taker Jr.

Sworn to before me this 25th day of

February 1947

Stanley L. Isbrandt

Notary Public in and for Erie County.

and be it further

RESOLVED, that the above notice be published at least once in the Depew Herald and Cheektowaga News the official paper of the Town at least 10 days before the date of hearing and the Town Clerk is hereby authorized to publish same as herein provided.

CARRIED:

Yes: -4-

Noes: -0-

(This was published according to law.)

A re-zoning petition was presented by JOHN H. PINIEWSKI, to re-zone property from residence to business. This Petition was referred to the Petitions Committee by Chairman Pawlak.

WHEREAS, HOFFELD ESTATES, has petitioned the Town Board of the Town of Cheektowaga to re-zone the hereinafter described property from a residence district to a business district in the Town of Cheektowaga.

NOW, THEREFORE BE IT RESOLVED, that the following notice of hearing on the proposed change of the Zoning Map and Zoning Ordinance of the Town of Cheektowaga be published in the official paper of the Town of Cheektowaga.

STATE OF NEW YORK
COUNTY OF ERIE

Know all men that I, Frank A. Tabor, Jr., of the County of Erie, State of New York, at the Town of Depew, on the 17th day of February, 1947, at 7:30 o'clock of the Eastern Standard Time of said County, for the purpose of considering and applying for the zoning from "Residence District" to "Business District" of the property hereinafter described, and amending the Zoning Map and Ordinance according to the following description:

DESCRIPTION

Lots 37 and 38, Cover 1888, having a frontage of 250 feet on the westerly line of Kensington Avenue, 156.43 feet on the west side of Cemetery Road, 55.57 feet on the northeasterly chord of the circle and 151.43 feet on the northerly side of Cleveland Drive. The westerly line of the above two lots is the front.

All parties in interest and citizens will be given an opportunity to be heard in respect to such proposed application and amendments. Dated: February 3, 1947.

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

ALBERT STURM
Town Clerk

FRANK A. TABOR, JR.

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew
Herald and News
Cheektowaga

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 6th day of February, 1947, and the last insertion being on the _____ day of _____, 19____, and that not more than six days intervened between any two publications thereof.

Frank A. Tabor Jr.

Sworn to before me this 25th day of

February

1947

Stanley J. J. J.

Notary Public in and for Erie County.

and be it further

RESOLVED, that the above notice be published at least once in the Depew Herald and Cheektowaga News the official paper of the Town at least 10 days before the date of hearing and the Town Clerk is hereby authorized to publish same as herein provided.

CARRIED:

Ayes: -4-

Noes: -0-

(This was published according to law.)

On motion of Councilman Henry, seconded by Councilman Napieralski, Public Hearings on the three petitions for rezoning will be held February 17, 1947 at 7:30 P.M.

CARRIED:

Ayes: -4-

Noes: -0-

Communication from Herbert Niebergall tendering his resignation as Operator of Cheektowaga Disposal Plant as of February 1st, 1947.

Motion was made by Councilman Henry, seconded by Councilman Napieralski and duly carried that the resignation of Herbert Niebergall Sewage Plant Operator Disposal Plant #5 be accepted and his leave of absence granted heretofore be terminated effective immediately.

CARRIED:

Ayes: -4-

Noes: -0-

On motion of Councilman Henry, seconded by Councilman Napieralski, Herbert Niebergall be and he hereby is appointed an Assessor, effective February 4th, 1947.

CARRIED:

Ayes: -4-

Noes: -0-

Moved by Councilman Napieralski, seconded by Councilman Henry, the request for a 35 mile speed limit from Union Road to Indian Road be referred to the Supervisor.

CARRIED:

Ayes: -4-

Noes: -0-

A petition signed by nine property owners was presented and read to the Town Board by the Clerk, protesting against the rezoning of Lots 94, 95, 96, north side of Genesee between Dellwood and Crestwood from residential to industrial property.

On motion of Councilman Nagel, seconded by Councilman Henry, the Town Attorney be directed to communicate with the State Traffic Commission regarding speed signs to be place at Genesee & Beach Road to hurry the installation of these signs.

CARRIED:

Ayes: -4-

Noes: -0-

On motion of Councilman Nagel, seconded by Councilman Napieralski, the following claims be paid when properly audited and the Town Clerk was authorized to draw orders on the Supervisor for payment of same.

CARRIED:

Ayes: -4-

Noes: -0-

CLAIMS

| | | |
|--------------------|-------------------------------------|---------|
| Joseph Mruk | -for clock, Town Hall,..... | 30.00 |
| Terminal Petroleum | -for gasoline, Police..... | 199.66 |
| Western N.Y. Water | -for fire hydrant service, Jan..... | 1933.37 |
| Western N.Y. Water | -for water, Disp. #5..... | 141.65 |
| Western N.Y. Water | -for water, Disp. #3..... | 39.70 |

| | | |
|-----------------------------|---|---------|
| Western N.Y. Water | -for water, Town Hall..... | 5.90 |
| Western N.Y. Water | -for water, Roycroft & Wehrle..... | 50.65 |
| Western N.Y. Water | -for water, Elle, cor. Union..... | 2.70 |
| Eugene J. Finsterbach | -for stenographic service, Judge Franzek..... | 10.00 |
| Mastercraft Tire | -for tires, Police..... | 71.70 |
| Albert H. Kassman | -for overhauling mowers..... | 53.85 |
| Flemin Motor | -for supplies, Police..... | 20.75 |
| Fleming Motor | -for supplies, Garbage..... | 43.43 |
| G.E. Holloway | -for accounting service, Can..... | 85.00 |
| Bflo. Sewer Authority | -for service, charge, Jan. 1 to Mar. 31, 1947..... | 32.49 |
| Stanley J. Walczak | -for supplies, Town Hall..... | 1.25 |
| Frank Lo Bue | -for work at Town Hall..... | 70.00 |
| Allen Floor Covering | -for work, Chief of Police Office.... | 180.00 |
| Fred D. Newland | -for public official bonds..... | 54.50 |
| Fred D. Newland | -for public official bonds..... | 264.50 |
| Mrs. A. Durringer | -for meals to prisoners, 1946..... | 137.60 |
| Burroughs Adding Machine | -for maintenance, Sup. machine..... | 38.01 |
| Lakeland Const. | -for construction, Garbage Incinerator, Est. #4..... | 7319.92 |
| N.Y. State Elec. & Gas | -for elec. service, Harlem Pump..... | 86.76 |
| N.Y. State Elec. & Gas | -for elec. service, Town Hall..... | 69.24 |
| N.Y. State Elec. & Gas | -for street lighting, Jan..... | 2714.90 |
| N.Y. State Elec. & Gas | -for elec. service, Disp. #3..... | 461.97 |
| Edward D. Winegar | -for supplies, Disp. #5..... | 2.25 |
| Edward O. Winegar | -for supplies, Town Hall..... | 13.75 |
| Niagara Lubricant | -for supplies, Police Dept..... | 8.75 |
| Niagara Lubricant | -for oil, Garbage Dept..... | 26.00 |
| H.W. Ratzel | -for kerosene, Disp. #5..... | 1.30 |
| Wolff Machine | -for work at Roycroft Plant..... | 98.50 |

| | | |
|-----------------------------|---|--------|
| N.Y.Telephone | -for directory advertising..... | 3.00 |
| N.Y.Telephone | -for telephone service..... | 300.32 |
| Millington Lockwood | -for supplies, Supervisors Office..... | 8.25 |
| Millington Lockwood | -for supplies, Town Clerk..... | 2.25 |
| Millington Lockwood | -for supplies, Tax Dept..... | 25.30 |
| Millington Lockwood | -for supplies, Police Dept..... | 2.50 |
| Sidney Nadolny | -for coal, Town Hall..... | 281.79 |
| Alfred J. Kless | -for transportation, Assessors, Jan... | 33.36 |
| Elmer J. Bittlinger | -for re: services, Publicity and advertising, Inter-Community..... | 500.00 |
| Jerge Sales | -for supplies, Garbage Dept..... | 8.81 |
| Liquid Carbonic | -for oxygen, Police Dept..... | 3.00 |
| Herald & News | -for publishing notices, etc..... | 217.20 |
| Herald & News | -for printing, Sanitation Dept..... | 36.00 |
| Bison Lumber | -for supplies, Town Hall..... | 15.74 |
| Winegar Reiman | -for supplies, Police Dept..... | 22.25 |
| Commercial BluePrint | -for prints, Assessors..... | 41.05 |
| Carl. R. Nelson | -for work at Chief of Police Office... | 60.00 |
| Allen Eddy Publish. | -for subscriptions, N.Y.State Journal. | 20.00 |
| Victors Paint & Hardward | -for supplies, Town Hall..... | 7.06 |
| Iroquois Gas | -for gas, Alpine & Herbert..... | 17.00 |
| Cheektowaga Lumber | -for supplies, Town Hall..... | 60.52 |
| Francis E. Sweitzer | -for photo equipment, Police..... | 350.00 |
| John P. Neill | -for supplies, Police..... | 22.40 |
| International Harvester | -for supplies, Garbage Dept..... | 2.28 |
| N.Y.State Elec. & Gas | -for elec. service, Town Hall..... | 7.40 |
| N.Y.State Elec. & Gas | -for elec. service, Disp. #3..... | 523.24 |

On motion of Councilman Henry, seconded by Councilman Nagel, the Board adjourned.

CARRIED:

Ayes: -4-

Noes: -0-

ALBERT STURM
Town Clerk

Cheektowaga, N.Y.
February 12, 1947

Minutes of special meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in said Town of Cheektowaga, on the 12th day of February, 1947, at 4:30 o'clock P.M., Eastern Standard Time. There were:

PRESENT:

| | |
|----------------------|------------|
| Frank Henry | Councilman |
| Henry Nagel | Councilman |
| Nicholas Napieralski | Councilman |
| Stanley E. Pawlak | Councilman |

ABSENT:

| | |
|-------------------|------------|
| C. Chase Zalemski | Supervisor |
|-------------------|------------|

Motion was made by Mr. Napieralski, seconded by Mr. Pawlak and duly carried that Councilman Henry act as Chairman of the meeting in the absence of Supervisor Zalemski.

Motion was made by Mr. Pawlak, seconded by Mr. Napieralski and duly carried that Town Attorney Kitzinger act as Town Clerk in the absence of Town Clerk, Mr. Sturm.

Mr. Pawlak offered the following resolution and moved its adoption:

WHEREAS, it appears that the existing sewer system of Sewer District No. 5 of this Town is inadequate to serve the present and future needs of said Sewer District:

NOW, THEREFORE BE IT RESOLVED, that this Town Board does hereby determine it necessary for the proper maintenance and service of the trunk sewer system of Sewer District No. 5 of this Town to increase and improve the facilities thereof and appurtenances thereto, and

BE IT FURTHER RESOLVED, that Newell L. Nussbaumer and Irving Clarke, doing business as Nussbaumer & Clarke, competent Civil Engineers, duly licensed by the State of New York, be and they hereby are directed to prepare a map and a general plan for the improvement of such sewer system and the increase of the facilities thereof.

Seconded by Mr. Napieralski and duly put to a vote which resulted as follows:

| | | |
|----------------------|--------|-----|
| FRANK HENRY | VOTING | Aye |
| Henry Nagel | voting | Aye |
| Nicholas Napieralski | voting | Aye |
| Stanley Pawlak | voting | Aye |
| NOES: -0- | | |

Mr. Nagel offered the following resolution and moved its adoption:

WHEREAS, this Town Board has heretofore determined it necessary for the proper maintenance and service of the existing trunk sewer system of Sewer District No. 5 of this Town, to increase and improve the facilities thereof and the appurtenances thereto, and

WHEREAS, this Town Board has heretofore directed Newell L. Nussbaumer and Irving Clarke, doing business as Nussbaumer & Clarke competent Civil Engineers duly licensed by the State of New York, to prepare a map and general plan for the improvement of such trunk sewer system and the increase thereof, and such map and plan have been duly prepared and presented to this Town Board, and

WHEREAS, said map and plan provide for the following addition to, and alterations and modifications of, the trunk sewer system of said Sewer District No. 5, to wit:

To reconstruct trunk sewer for a distance of about 700 feet on the north side of Maryvale Drive between Union and Cayuga Roads.

and the modification of the existing plans of sewerage of such District accordingly, and

WHEREAS, the expense of the foregoing improvement is estimated by said engineers to be the sum of Thirty thousand and 00/100 (\$30,000.00) dollars,

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid map and plan prepared by Newell L. Nussbaumer and Irving Clarke be filed forthwith in the office of the Town Clerk of this Town and that said map and plan shall be available for inspection by all interested persons during the usual business hours of the day, and

BE IT FURTHER RESOLVED, that this Board meet at the Town Hall in said Town of Cheektowaga, on the 24th day of February, 1947 at 7:30 o'clock P.M., Eastern Standard Time, for the purpose of holding a public hearing on such map and plan and the improvements proposed thereby and for the further purpose of hearing and considering any objections which may be made to the modification of the existing plans of sewerage of the aforesaid District as proposed by said map and plan prepared by Newell L. Nussbaumer and Irving Clarke, and

BE IT FURTHER RESOLVED AND ORDERED, that the Town Clerk be and he hereby is ordered and directed to publish a certified copy of this resolution and order in the Depew Herald and Cheektowaga News, the official paper of said Town, on or before the 13th day of February 1947, and that on or before said day he post conspicuously or cause to be posted conspicuously certified copies of this order in five public places within said District.

Seconded by Mr. Pawlak, and duly put to a vote which resulted as follows:

| | | |
|----------------------|--------|-----|
| Nicholas Napieralski | voting | Aye |
| Henry Nagel | voting | Aye |
| Frank Henry | voting | Aye |
| Stanley E. Pawlak | voting | Aye |

ABSENT: C. Chase Zalemski Supervisor

At a special meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in said Town of Cheektowaga, on the 12th day of February, 1947, at 4:30 o'clock P. M., Eastern Standard Time, there were:

PRESENT: Nicholas Napieralski, Councilman
Henry Nagel, Councilman
Frank Henry, Councilman
Stanley E. Pawlak, Councilman

ABSENT:

C. Chase Zalemski, Supervisor
Mr. Nagel offered the following resolution and moved its adoption:

WHEREAS, this Town Board has heretofore determined it necessary for the proper maintenance and service of the existing trunk sewer system of Sewer District No. 5 of this Town, to increase and improve the facilities thereof and the appurtenances thereto, and

WHEREAS, this Town Board has heretofore directed Newell L. Nussbaumer and Irving Clarke, doing business as Nussbaumer & Clarke, competent Civil Engineers duly licensed by the State of New York, to prepare a map and general plan for the improvement of such trunk sewer system and the increase thereof, and such map and plan have been duly prepared and presented to this Town Board, and

WHEREAS, said map and plan provide for the following additions to, and alterations and modifications of, the trunk sewer system of said Sewer District No. 5, to wit:

To reconstruct trunk sewer for a distance of about 700 feet on the north side of Maryvale Drive between Union and Cayuga Roads, and the modification of the existing plans of sewerage of such District accordingly, and

WHEREAS, the expenses of the foregoing improvement is estimated by said engineers to be the sum of Thirty thousand and 00/100 (\$30,000.00) dollars,

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid map and plan prepared by Newell L. Nussbaumer and Irving Clarke be filed forthwith in the office of the Town Clerk of this Town and that said map and plan shall be available for inspection by all interested persons during the usual business hours of the day, and

BE IT FURTHER RESOLVED, that this Board meet at the Town Hall in said Town of Cheektowaga, on the 24th day of February, 1947 at 7:30 o'clock P. M., Eastern Standard Time, for the purpose of holding a public hearing on such map and plan and the improvements proposed thereby and for the further purpose of hearing and considering any objections which may be made to the modification of the existing plans of sewerage of the aforesaid District as proposed by said map and plan prepared by Newell L. Nussbaumer and Irving Clarke, and

BE IT FURTHER RESOLVED AND ORDERED, that the Town Clerk be and he hereby is ordered and directed to publish a certified copy of this resolution and order in the Depew Herald and Cheektowaga News, the official paper of

said Town, on or before the 13th day of February, 1947, and that on or before said day he post conspicuously or cause to be posted conspicuously certified copies of this order in five public places within said district.

Seconded by Mr. Pawlak, and duly put to a vote which resulted as follows:

| | | |
|----------------------|--------|-----|
| Nicholas Napieralski | voting | Yes |
| Henry Nagel | voting | Yes |
| Frank Henry | voting | Yes |
| Stanley E. Pawlak | voting | Yes |

ABSENT:

C. Chase Zalemski, Supervisor

STATE OF NEW YORK :
COUNTY OF ERIE : ss.

TOWN OF CHEEKTOWAGA:

I, ALBERT STURM, Town Clerk of the Town of Cheektowaga, Erie County, New York, DO HEREBY CERTIFY that I have compared the foregoing with the original minutes of the meeting of the Town Board of the said Town held on the 12th day of February, 1947, and that the foregoing is a true and correct transcript from said original resolution and the whole thereof, and that the resolutions duly adopted by the said Town Board are on file in my office.

I FURTHER CERTIFY that all members of said Town Board had due notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said Town of Cheektowaga, this 12th day of February, 1947.

ALBERT STURM,
Town Clerk

113 (SEAL)

This was published and posted according to law, on February 13, 1947 at:

1. Zapfel Bros. Garage.
- 2.. Pine Hill Hose Co.
3. Cleveland Hill Hose Co.
4. Wittmans Tavern.
5. School Annex #2, Union near Genesee.
6. U-Crest Hose Co.

Mr. Pawlak offered the following resolution and moved its adoption:

WHEREAS, this Town Board has heretofore authorized Supervisor Zalemski to engage the services of a contractor for the purpose of repairing the trunk sewer of Sewer District No. 5 located on the north side of Maryvale Drive between Union and Cayuga Roads and to expend therefor the sum of not exceeding \$2,500.00, and

WHEREAS, Elmer Mesner, Superintendent of Sewage treatment plants has reported to this Town Board that the services of the Lakeland Construction Corporation were engaged to do this work and that the work has been started but that it appears that replacement of about seven hundred feet of the sewer will be required and that this sewer will have to be laid in concrete because of the soil conditions found to exist and that the Lakeland Construction Corporation has offered to do the work at the rate of \$35 to \$40 per running foot, and

WHEREAS, Mr. Mesner further reported that the sewer has been laid open and the conditions are such as to necessitate the continuance of the work because of the soil conditions, the weather, and the danger of allowing an unguarded open ditch to exist because of proximity to Maryvale Drive, and

WHEREAS, this Town Board has today personally examined the conditions existing,

NOW, THEREFORE, BE IT RESOLVED,

(1) That an emergency exists in connection with the reconstruction of the trunk sewer on the north side of Maryvale Drive between Union and Cayuga Roads of Sewer District No. 5 such as it is impossible to permit the discontinuance of the work now being done by the Lakeland Construction Corporation to permit the calling for and receipt of bids for such work.

(2) That the Lakeland Construction Corporation be and the same hereby is engaged to continue and complete the necessary work of reconstruction the said trunk sewer system at a cost of between \$35 to \$40 per running foot depending upon the conditions found to exist as the work progresses.

(3) That Elmer Mesner be and he hereby is directed to inspect the work of reconstruction the said trunk sewer and to make reports to this Town Board of the progress of the work and to see to it that the reconstruction costs are kept at a minimum.

(4) That the Lakeland Construction Corporation furnish to the Town of Cheektowaga an owner's protective liability insurance policy with personal injury limits of \$25,000-\$50,000 and property damage limits of \$10,000 and proof of carrying workmen's compensation insurance and public liability insurance.

Seconded by Mr. Napieralski and duly put to a vote which resulted as follows:

| | | |
|----------------------|--------|-----|
| Frank Henry | voting | Aye |
| Henry Nagel | voting | Aye |
| Nicholas Napieralski | voting | Aye |
| Stanley E. Pawlak | voting | Aye |
| NOES: -0- | | |

Motion was made by Mr. Henry, seconded by Mr. Nagel
and duly carried that the meeting adjourn.

KENNETH W. KITZINGER
Acting Clerk

Cheektowaga, N.Y.
February 17, 1947

Minutes of regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in said Town of Cheektowaga, on the 17th day of February, 1947 at 7:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT:

| | |
|----------------------|------------|
| Stanley Pawlak | Councilman |
| Nicholas Napieralski | Councilman |
| Frank Henry | Councilman |
| Henry Nagel | Councilman |

ABSENT:

| | |
|-------------------|------------|
| C. Chase Zalemski | Supervisor |
|-------------------|------------|

Motion was made by Councilman Nagel, seconded by Councilman Pawlak and duly carried that Town Attorney, Kenneth W. Kitzinger act as Town Clerk in the absence of Albert Sturm.

The notice of hearing on the re-zoning of certain property on the corner of Genesee Street and St. James Road for which application was made by Joseph J. Mueller was read by the Clerk. No one appeared in opposition to the proposed re-zoning. Samuel Mattot and Raymond Mattot, both of 41 St. James Road and the applicant spoke in favor of the re-zoning.

Councilman Pawlak offered the following resolution and moved its adoption:

WHEREAS, there has been presented to this Town Board a written application for the re-zoning of the hereinafter described property from a residential district to a business district and a notice of the Town Board reciting the receipt of said application and specifying the time when and place where said Town Board would meet to consider the said application and to hear all persons interested in the subject thereof concerning the same, having been published as required by law and the hearing taking place at the Town Hall, Town of Cheektowaga, New York, on February 17, 1947, at which hearing no person appeared in opposition to the proposed amendment of the zoning map, and the Town Board having given due consideration thereon,

NOW, THEREFORE, BE IT RESOLVED by this Town Board that the ordinance adopted December 21, 1942 and as now amended, entitled "Zoning Ordinance" be and the same hereby is amended by changing the Zoning map so as to change the following described property from that of residential district to business district:

Lots No. 218-219, Map Cover 1417; Pine Ridge Heights Corner of Genesee St., and St. James Road with 70 foot frontage on Genesee St., and 125 feet on St. James Rd.

and

BE IT FURTHER RESOLVED, that the Town Clerk be, and he hereby is directed to publish in the Depew Herald and Cheektowaga News, twice, once in each week for two consecutive weeks, said amendment and to post conspicuously in at least six public places in the Town, a printed copy thereof.

Seconded by Councilman Napieralski and duly put to a vote which resulted as follows:

| | | | |
|---|----------------------|--------|-----|
| S | Stanley Pawlak | voting | Aye |
| | Nicholas Napieralski | voting | Aye |
| | Frank Henry | voting | Aye |
| | Henry Nagel | voting | Aye |

ABSENT:

| | |
|-------------------|-------------|
| C. Chase Zalemski | Supervisor. |
|-------------------|-------------|

52

FRANK A. TABER, JR.

being duly sworn, deposes and says that he is the

PUBLISHERS

of the

Deerw

Checktwags

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy.

was inserted and published therein once a week for
Two week's, the first insertion being on the
6th day of March, 1947 and
the last insertion being on the 13th day of
March, 1947, and that not
more than six days intervened between any two publi-
cations thereof.

Frank A. Gahan Jr.

1824 day of

194-

Public in and for Erie County

hearing in connection with the re-zoning of Genesee Street, which application was made by the Clerk. Walter Breissinger, 3032 Genesee Meyer and William Stollmeyer, 3025 Genesee Street o the rezoning. Attorney William Buscaglia for the petitioner spoke in favor of the made by Mr. Nagel, seconded by Mr. Napieralski the hearing be closed and the matter referred ittee.

Notice of hearing was read by the Clerk in connection with the application of Hoffeld Estates, Inc. for rezoning certain property on Kensington Avenue. Attorney Milton E. Kaeselau appearing for the applicant spoke in favor of the rezoning.

Councilman Pawlak offered the following resolution and moved its adoption:

WHEREAS, there has been presented to this Town Board a written application for the rezoning of a hereinafter described property from a residential district to a business district and a notice of the Town Board reciting the receipt of said application and specifying the time when and place where said Town Board would meet to consider the said application and to hear all persons interested in the subject thereof concerning the same, having been published as required by law and the hearing taking place at the Town Hall, Town of Cheektowaga, New York on February 17, 1947, at which hearing no persons appeared in opposition to the proposed amendment of the zoning map, and the Town Board having given due consideration thereon,

NOW, THEREFORE BE IT RESOLVED by this Town Board that the ordinance adopted December 21, 1942 and as now amended entitled "Zoning Ordinance" be and the same hereby is amended by changing the zoning map so as to change the following described property from that of residential district to business district.

Lots 27 and 28, Cover 1603, having a frontage of 250 feet on the southerly line of Kensington Avenue, 186.43 feet on the west side of Century Road, 96.97 feet on the northwesterly chord of the circle and 181.43 feet on the northerly side of Cleveland Drive. The westerly line of the above two lots is 255 feet.

and

BE IT FURTHER RESOLVED, that the Town Clerk be, and he hereby is directed to publish in the Depew Herald and Cheektowaga News, said amendment one week for two consecutive weeks, said amendment being conspicuously in at least six public places in the Town of Cheektowaga, New York.

which was duly read and approved by Councilman Napieralski and duly put to a vote

and

BE IT FURTHER RESOLVED,

that the Town Clerk be, and he

hereby is directed to publish in

the Depew Herald and Cheektowaga

News, said amendment one week

for two consecutive weeks, said

amendment being conspicuously in

at least six public places in the

Town of Cheektowaga, New York.

and

BE IT FURTHER RESOLVED,

that the Town Clerk be, and he

hereby is directed to publish in

the Depew Herald and Cheektowaga

News, said amendment one week

for two consecutive weeks, said

amendment being conspicuously in

at least six public places in the

Town of Cheektowaga, New York.

and

BE IT FURTHER RESOLVED,

that the Town Clerk be, and he

hereby is directed to publish in

the Depew Herald and Cheektowaga

News, said amendment one week

for two consecutive weeks, said

amendment being conspicuously in

at least six public places in the

Town of Cheektowaga, New York.

and

BE IT FURTHER RESOLVED,

that the Town Clerk be, and he

hereby is directed to publish in

the Depew Herald and Cheektowaga

News, said amendment one week

for two consecutive weeks, said

amendment being conspicuously in

at least six public places in the

Town of Cheektowaga, New York.

and

BE IT FURTHER RESOLVED,

that the Town Clerk be, and he

hereby is directed to publish in

the Depew Herald and Cheektowaga

News, said amendment one week

for two consecutive weeks, said

amendment being conspicuously in

at least six public places in the

Town of Cheektowaga, New York.

and

BE IT FURTHER RESOLVED,

that the Town Clerk be, and he

hereby is directed to publish in

the Depew Herald and Cheektowaga

News, said amendment one week

for two consecutive weeks, said

amendment being conspicuously in

at least six public places in the

Pawlak

Napieralski

Zalemski

voting Aye

voting Aye

voting Aye

voting Aye

Supervisor.

Seconded by Councilman Napieralski and duly put to a vote which resulted as follows:
Stanley Pawlak, voting Aye
Nicholas Napieralski, voting Aye
Frank Henry, voting Aye
Henry Nagel, voting Aye
ABSENT: C. Chase Zalemski,

Supervisor
KENNETH W. KITZINGER,
Acting Town Clerk,
Town of Cheektowaga,
m6-13 Erie County, New York

FRANK A. TAKER, JR.,

being duly sworn, deposes and says that he is the

PUBLISHER of the

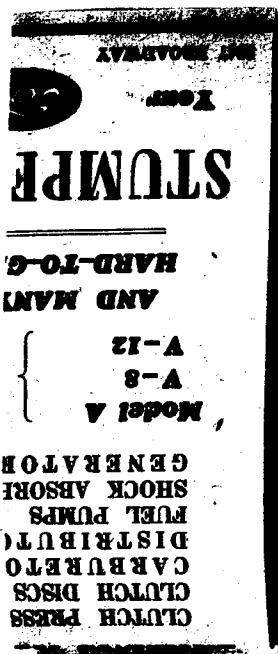
Depew Cheektowaga Herald and News

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for Two weeks, the first insertion being on the 6th day of March, 1947, and the last insertion being on the 13th day of March, 1947, and that not more than six days intervened between any two publications thereof

Frank A. Taker Jr.

Sworn to before me this 18th day of

March 1947
Stanley J. Isbrandt
Notary Public in and for Erie County.



SE:

Joseph J. Mueller

FRANK A. TABER, JR.,

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew

Cheektowaga

Herald and News

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for Two week(s), the first insertion being on the 6th day of March, 1947 and the last insertion being on the 13th day of March, 1947, and that not more than six days intervened between any two publications thereof.

Frank A. Taber Jr.

Sworn to before me this 18th day of

March, 1947
Stanley L. Schmitt
Notary Public in and for Erie County.

tn 46 3890

Notice of hearing in connection with the re-zoning of certain property on Genesee Street, which application was made by RALPH ALFANO was read by the Clerk. Walter Breissinger, 3032 Genesee Street; Mildred Stollmeyer and William Stollmeyer, 3025 Genesee Street spoke in opposition to the rezoning. Attorney William Buscaglia appearing as attorney for the petitioner spoke in favor of the rezoning. Motion was made by Mr. Nagel, seconded by Mr. Napieralski and duly carried that the hearing be closed and the matter referred to the Petitions Committee.

Notice of hearing was read by the Clerk in connection with the application of Haffeld Estates, Inc. for rezoning certain property on Kensington Avenue. Attorney Milton E. Kaesela appearing for the applicant spoke in favor of the rezoning.

Councilman Pawlak offered the following resolution and moved its adoption:

WHEREAS, there has been presented to this Town Board a written application for the rezoning of a hereinafter described property from a residential district to a business district and a notice of the Town Board reciting the receipt of said application and specifying the time when and place where said Town Board would meet to consider the said application and to hear all persons interested in the subject thereof concerning the same, having been published as required by law and the hearing taking place at the Town Hall, Town of Cheektowaga, New York on February 17, 1947, at which hearing no persons appeared in opposition to the proposed amendment of the zoning map, and the Town Board having given due consideration thereon,

NOW, THEREFORE BE IT RESOLVED by this Town Board that the ordinance adopted December 21, 1942 and as now amended entitled "Zoning Ordinance" be and the same hereby is amended by changing the zoning map so as to change the following described property from that of residential district to business district.

Lots 27 and 28, Cover 1603, having a frontage of 250 feet on the southerly line of Kensington Avenue, 186.43 feet on the west side of Century Road, 96.97 feet on the northwesterly chord of the circle and 181.43 feet on the northerly side of Cleveland Drive. The westerly line of the above two lots is 255 feet.

and

BE IT FURTHER RESOLVED, that the Town Clerk be, and he hereby is directed to publish in the Depew Herald and Cheektowaga News, twice, once in each week for two consecutive weeks, said amendment and to post conspicuously in at least six public places in the Town, a printed copy thereof.

Seconded by Councilman Napieralski and duly put to a vote which resulted as follows:

| | | |
|----------------------|--------|-----|
| Stanley Pawlak | voting | Aye |
| Nicholas Napieralski | voting | Aye |
| Frank Henry | voting | Aye |
| Henry Nagel | voting | Aye |

ABSENT: C. Chase Zalemski Supervisor.

STATE OF NEW YORK
COUNTY OF ERIE

Frank A. Taber, Jr., on the 17th day of February, 1947, at 7:30 o'clock P. M., Eastern Standard Time, there were:

PRESENT: Stanley Pawlak, Councilman
Nicholas Napieralski, Councilman
Frank Henry, Councilman
Henry Nagel, Councilman

ABSENT: C. Chase Zalemski, Supervisor

Councilman Pawlak offered the following resolution and moved its adoption:

WHEREAS, there has been presented to this Town Board a written application for the rezoning of the hereinafter described property from a "residential district" to a "business district" and a notice of the Town Board reciting the receipt of said application and specifying the time when and place where said Town Board would meet to consider the said application and to hear all persons interested in the subject thereof concerning the same, having been published as required by law and the hearing taking place at the Town Hall, Town of Cheektowaga, New York, on February 17, 1947, at which hearing no person appeared in opposition to the proposed amendment of the zoning map, and the Town Board having given due consideration thereon.

NOW, THEREFORE, BE IT RESOLVED, by this Town Board that the ordinance adopted December 21, 1942 and as now amended, entitled "Zoning Ordinance", be and the same hereby is amended by changing the zoning map so as to change the following described property from that of "residential district" to "business district":

DESCRIPTION
Lots 27 and 28, Cover 1603, having a frontage of 250 feet on the southerly line of Kensington Avenue, 186.43 feet on the west side of Century Road, 96.97 feet on the northwesterly chord of the circle and 181.43 feet on the northerly side of Cleveland Drive. The westerly line of the above two lots is 255 feet.

and.
BE IT FURTHER RESOLVED, that the Town Clerk be, and he hereby is, directed to publish in the Depew Herald and Cheektowaga News, twice, once in each week for two consecutive weeks, said amendment and to post conspicuously in at least six public places in the Town, a printed copy thereof.

Seconded by Councilman Napieralski and duly put to a vote which resulted as follows:

Stanley Pawlak, voting Aye
Nicholas Napieralski, voting Aye
Frank Henry, voting Aye
Henry Nagel, voting Aye

ABSENT: C. Chase Zalemski, Supervisor

KENNETH W. KITZINGER,
Acting Town Clerk,
Town of Cheektowaga,
Erie County, New York

FRANK A. TABER, JR.,

being duly sworn, deposes and says that he is the

PUBLISHER of the

Depew Cheektowaga
Herald and News

newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the

printed slip taken from said newspaper, is a copy, read and published therein once a week for

three weeks, the first insertion being on the

day of March, 1947, and the

insertion being on the 13th day of March, 1947, and that not

more than six days intervened between any two publications.

Frank A. Taber, Jr.
4

Erie County.

Petition of Victoria B. Przelina, 164 Clearvale Drive to rezone certain property under Map Covers 1359 and 1440, Roycroft Park Subdivision on the corner of Harlem and Huth Roads was referred to the Petitions Committee.

Mr. Nagel offered the following resolution and moved its adoption:

WHEREAS, this Town Board has heretofore determined it to be in the public interest to make an improvement in Arthur Street, to wit: the construction of a lateral sewer in Arthur Street in the Town of Cheektowaga for its entire length from 150 feet distant south of Genesee Street to the southerly end of said Arthur Street at Broad Street, which sewer shall be so constructed as to serve the properties on both sides of said public highway, and

WHEREAS, this Board has heretofore directed Newell L. Nussbaumer and Irving Clarke, doing business as Nussbaumer & Clarke, competent civil engineers duly licensed by the State of New York, to prepare definite plans and specifications and make a careful estimate of the expense and with the assistance of the Town Attorney to prepare a proposed contract for the execution of the work, and such plans, specifications, estimate, and proposed contract having been duly prepared and presented to this Town Board and likewise filed with the Town Clerk and the same having been carefully examined by this Board,

NOW, THEREFORE, BE IT RESOLVED, that the estimate for said improvements in the sum of Three thousand dollars (\$3,000.00) be and hereby is approved, and

BE IT FURTHER RESOLVED, that sealed proposals be invited for the furnishing of labor and materials necessary for the doing of the work for the construction of said improvements in Arthur Street, in accordance with said plans, specifications, estimate, and proposed contract heretofore adopted, by the publication of notice thereof at least once in the Depew Herald and Cheektowaga News, the official paper of the Town, requiring each person who shall offer to do said work to file a sealed proposal or offer to do the work with certified check in the sum of \$150.00, which is equal to five per centum (5%) of the estimated expense of the improvement, payable to the order of the Supervisor, or a bond with sufficient sureties to be approved by the Supervisor, in a penal sum of \$150.00, which is equal to five per centum (5%) of the estimated expense of the improvement, conditioned that if his proposal shall be 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, and

BE IT FURTHER RESOLVED, that sealed proposals be received and considered publicly at a meeting of the Town Board of the Town of Cheektowaga at the Town Hall in said Town of Cheektowaga, on the 3rd day of March, 1947m at 2:00 o'clock P.M., Eastern Standard Time, and

BE IT FURTHER RESOLVED, that said notice to contractors be in substantially the following form:

NOTICE TO CONTRACTORS

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Cheektowaga, Erie County, New York, sealed proposals shall be received and considered by said Town Board, on the 3rd day of March, 1947, at 2:00 o'clock P.M., Eastern Standard Time, at a meeting of the Town Board in the Town Hall in the Town of Cheektowaga, Erie County, New York, for the furnishing of all the materials

and equipment, together with all labor for the construction of a certain improvement in Arthur Street, to wit: the construction of a lateral sewer in Arthur Street in the Town of Cheektowaga for its entire length from 150 feet distant south of Genesee Street to the southerly end of said Arthur Street at Broad Street, which sewer shall be so constructed as to serve the properties on both sides of said public highway, in accordance with proposed contract, plans, profiles, drawings, instructions to bidders, specifications and estimates, prepared by Newell L. Nussbaumer and Irving Clarke, doing business as Nussbaumer & Clarke, Consulting Engineers of the Town of Cheektowaga and approved by the Town Board of said Town, all of which are on file with the Town Clerk at his office in the Town Hall of said Town, where the same may be examined during the usual business hours. Copies of the proposed contract, plans, profiles, drawings, instructions to bidders, specifications and estimates may also be examined at the office of Nussbaumer and Clarke, Consulting Engineers of the Town of Cheektowaga, at 327 Franklin Street, Buffalo, New York. One copy of said proposed contract, plans, profiles, drawings, instructions to bidders, specifications and estimates may be obtained upon payment of \$15.00. Any bidder upon returning such copy in good conditions within thirty days following the award of the contract or the rejection of bid of such bidders, will be refunded \$15.00, and any non-bidder, upon return of such copy, will be refunded \$5.00.

Each proposal must be accompanied by a certified check in the sum of \$150.00 payable to the order of C. Chase Zalemski, Supervisor of the Town of Cheektowaga, or a bond with sufficient sureties to be approved by the Supervisor in a penal sum of \$150.00 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. The Town Board reserved the right to reject any and all bids and proposals and to advertise anew and to award one contract for the entire work or separate contracts for portions thereof, if in its judgment it shall deem it to be for the best interests of the Town to do so.

By order of the Town Board of the Town of Cheektowaga.

ALBERT STURM
Town Clerk

Dated: February 17, 1947.

Seconded by Mr. Pawlak and duly put to a vote which resulted as follows:

| | | |
|----------------------|--------|-----|
| STANLEY PAWLAK | voting | Aye |
| NICHOLAS NAPIERALSKI | Voting | Aye |
| FRANK HENRY | voting | Aye |
| HENRY NAGEL | voting | Aye |

ABSENT:

C. Chase Zalemski

Letter from the State Traffic Commission addressed to the Town Attorney with reference to the establishment speed zone on Genesee Street was received and filed.

Councilman Nagel agreed to take the matter of having the installation of the necessary signs checked with the Chief of Police.

Councilman Pawlak offered the following resolution and moved its adoption:

WHEREAS, the Maryland Casualty Company under date of October 12, 1943, issued a bond running to the Town of Cheektowaga in the sum of Two thousand and 00/100 (\$2,000.00) dollars with Edward

Osuch of 356 Garland Street, Buffalo, New York as principal and the Maryland Casualty Company as surety, conditioned upon the performance by said Edward Osuch of connecting private sewers with the public sewers in said Town and to lay laterals and house drains in connection with the public sewers of said Town, and

WHEREAS, William M. Tadio, Building and Plumbing Inspector of the Town has reported that the said Edward Osuch has performed all of the work authorized by this Board to be performed by him and covered by said Bond,

NOW, THEREFORE, BE IT RESOLVED, that the liability of the said Maryland Casualty Company under the said bond be and the same hereby is terminated as of this date in connection with the performance of any further work by the said Edward Osuch.

Seconded by Councilman Nagel and duly put to a vote which resulted as follows:

| | | |
|----------------------|--------|--------------------------------|
| Stanley Pawlak | voting | Aye |
| Nicholas Napieralski | voting | Aye |
| Frank Henry | voting | Aye |
| Henry Nagel | voting | Aye |
| ABSENT: | | C. Chase Zalemski, Supervisor. |

Motion was made by Mr. Nagel, seconded by Mr. Napieralski and duly carried that the Supervisor be authorized and directed to have street Lighting Standard No. 1581 located on Harlem Road repaired and the Chief of Police supply the necessary information to the Town Attorney as to the identity of the person responsible for the damage and that the Town Attorney take steps to recover damages.

Chief of Police Marynowski reported to the Town Board that the operation of taxicabs in the Town and their proper control is presenting a problem which should be investigated by the Town Board.

Mr. _____ appeared and alleged that his sewer assessment for property owned by him on Union Road was excessive. The matter was referred to the Town Attorney and the Superintendent of Sewage Treatment Plants for investigation.

Elmer Mesner, Superintendent of Sewage Treatment Plants appeared and stated that a great amount of grit in the wet well of the sewage treatment plant of Sewage District No. 5 has been discovered and arrangements were made for the Public Works Committee of the Council to examine the conditions on February 24, 1947, at 3:00 P.M.

Motion was made by Mr. Napieralski, seconded by Mr. Nagel and duly carried that Councilman Pawlak be empowered to cast Cheektowaga's vote at the meeting of the Association of Towns at Albany in place of the Supervisor who was ill and unable to attend.

Motion was made by Mr. Pawlak, seconded by Mr. Napieralski and duly carried that warrants be drawn and bills be paid.

CLAIMS

| | | |
|---------------------|-------------------------------------|--------|
| Millington Lockwood | -for supplies, Police Dept..... | 12.25 |
| Millington Lockwood | -for supplies, Town Clerk..... | 1.30 |
| Millington Lockwood | -for supplies, Supervisor's Office. | 3.10 |
| Terminal Petroleum | -for gasoline, Police..... | 184.92 |

| | | |
|----------------------------|--|---------|
| Mastercraft Tire | -for tires, Garbage Dept..... | 613.20 |
| Iroquois Gas | -for gas, Harlem & Geo. Urban Lift Station..... | 31.05 |
| Bflo. Niagara Elec. | -for street lighting, Jan..... | 1628.48 |
| Remington Rand | -for service, agreement, Tax Office. | 12.65 |
| Weber's Uniforms | -for badges, Police..... | 30.00 |
| Dwelle-Kaiser | -for supplies, Town Hall..... | 5.60 |
| Sirchie Fingerprint Lab. | -for supplies, Police Dept..... | 17.28 |
| Reynders Elec. | -for wiring, Police Dept..... | 263.29 |
| Reynders Elec. | -for work at Lift Station..... | 87.95 |
| Reynders Elec. | -for work at Town Hall..... | 21.77 |
| Reynders Elec. | -for work at Harlem Booster Sta..... | 27.44 |
| Reynders Elec. | -for work at Disp. #5..... | 115.46 |
| Reynders Elec. | -for repair signal, Harlem & William | 15.80 |
| Bflo. Niagara Elec. | -for elec. current, Pump Sta..... | 248.67 |
| Bflo. Niagara Elec. | -for elec. current, traffic signals. | 16.92 |
| N.Y.State Elec. & Gas | -for elec. service, Tool House..... | 38.36 |
| N.Y.State Elec. & Gas | -for elec. service, Disp. #3..... | 79.42 |
| Eddie Quiel | -for supplies, Garbage Dept..... | 53.95 |
| Hoelschers | -for supplies, Supervisor's Office.. | 7.70 |
| Universal Metal Welding | -for supplies, Disp. #5..... | 15.75 |
| Industrial Bearing | -for grease, Disp. #5..... | 1.40 |
| Jerge Sales | -for supplies, Garbage Dept..... | 11.99 |
| Joseph Kranz | -for building shed over sump pump, General..... | 91.20 |
| Lyth Chevrolet | -for supplies, Police..... | 9.50 |
| Gladys E. Sturm | -for postage, Town Clerk's Office... | 9.00 |
| L.A. Vendetti | -for examination, Police Dept. cases | 28.00 |
| Frank Lo Bue | -for installing cuttersm Disp. #5... | 24.00 |
| Union Free School Dist. #9 | -for rental Theodore Roosevelt School, Election, 1946..... | 60.00 |
| Klinck Awning | -for mending truck cover..... | 7.00 |

Motion was made by Mr. Pawlak seconded by Mr. Napieralski and duly carried that the meeting adjourn.

KENNETH W. KITZINGER
Acting Clerk

Cheektowaga, N.Y.
February 24, 1947

Minutes of special meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in said Town of Cheektowaga on the 24th day of February, 1947, at 7:30 o'clock, P.M., Eastern Standard Time, there were:

PRESENT:

| | |
|-------------------|------------|
| Frank Henry | Councilman |
| Henry Nagle | Councilman |
| Stanley E. Pawlak | Councilman |

ABSENT:

| | |
|----------------------|------------|
| C. Chase Zalemski | Supervisor |
| Nicholas Napieralski | Councilman |

Motion was made by Mr. Nagel, seconded by Mr. Pawlak and duly carried that Councilman Henry act as chairman of the meeting in the absence of Supervisor Zalemski.

Motion was made by Mr. Pawlak, seconded by Mr. Nagel and duly carried that Town Attorney Kenneth W. Kitzinger act as Town Clerk in the absence of Albert Sturm.

The Clerk read the notice of hearing on the proposed increase of the facilities of Sewer District No. 5 and presented proof of publication and posting of notice of such hearing.

This being the time and place advertised for a public hearing on the proposed increase of the facilities and appurtenances of Sewer District No. 5 of this Town, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and 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. No person appearing in opposition to the proposed improvement or the proposed modification of the existing plans of sewerage of Sewer District No. 5, the Supervisor declared the hearing closed.

Mr. Nagel offered the following resolution and moved its adoption:

WHEREAS, this Town Board has heretofore determined it necessary for the proper maintenance and service of the trunk sewer system of Sewer District No. 5 of this Town to increase and improve the facilities thereof and appurtenances thereto, and directed Newell L. Nussbaumer and Irving Clarke d/b/a Nussbaumer & Clarke, Civil Engineers to prepare a map and plan for the improvement of such sewer system and the increase of the facilities thereof, and such map and plan have been prepared accordingly and presented to this Town Board and filed in the office of the Town Clerk of this Town, and

WHEREAS, said map and plan provide for the following additions to and alterations and modifications of the trunk sewer system of said Sewer District No. 5, to wit:

To reconstruct trunk sewer for a distance of about 700 feet on the north side of Maryvale Drive between Union and Cayuga Roads.

and

WHEREAS, this Town Board has this day held a public hearing on such map and plan and the improvements proposed thereby and on the proposed modifications of the then existing plans of sewerage

for the aforesaid district, and heard all persons interested in the subject thereof,

NOW, THEREFORE, BE IT RESOLVED, that this Town Board does hereby decide at such public hearing and upon the evidence given thereat, that it is in the public interest to increase and improve the facilities of said Sewer District No. 5 of the Town of Cheektowaga by the construction of the improvements hereinbefore described, and to modify the plans of sewerage for the aforesaid District in the manner proposed, and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

Seconded by Mr. Pawlak, and duly put to a vote which resulted as follows:

| | | |
|-------------------|--------|-----|
| Frank Henry | voting | Aye |
| Henry Nagel | voting | Aye |
| Stanley E. Pawlak | voting | Aye |

Noes: -0-

BE IT FURTHER RESOLVED, that this Board met at the Town Hall in said Town of Cheektowaga, on the 24th day of February, 1947 at 7:30 o'clock P. M. Eastern Standard Time, for the purpose of holding a public hearing on such map and plan and the improvements proposed thereby and for the further purpose of hearing and considering any objections which may be made to the modification of the existing plans of sewerage of the aforesaid District as proposed by said map and plan prepared by Newell L. Nussbaumer and Irving Clarke, and

BE IT FURTHER RESOLVED AND ORDERED, that the Town Clerk be and he hereby is ordered and directed to publish a certified copy of this resolution and order in the Depew Herald and Cheektowaga News, the official paper of said Town, on or before the 13th day of February, 1947, and that on or before said day he post conspicuously or cause to be posted conspicuously certified copies of this order in five public places within said district.

Seconded by Mr. Pawlak, and duly put to a vote which resulted as follows:

| |
|----------------------------------|
| Nicholas Napieralski, voting Yes |
| Henry Nagel, voting Yes |
| Frank Henry, voting Yes |
| Stanley E. Pawlak, voting Yes, |

ABSENT:
C. Chase Zalowski, Supervisor

FRANK A. TAKER, JR.,

du'y sworn, deposes and says that he is the

PUBLISHER

of the

Depew

Cheektowaga

Herald and News

the newspaper published at Depew, Town of Cheek-

ria, Erie County, New York, that notice of which the

red printed slip taken from said newspaper, is a copy,

inserted and published therein once a week for

one week, the first insertion being on the

13th day of February, 1947, and

the last insertion being on the day of

, 19, and that not

more than six days intervened between any two publi-

cations thereof.

Frank A. Taker Jr.

Sworn to before me this 1st day of

March 1947

Stanley J. Ishardt

Notary Public in and for Erie County.

STATE OF NEW YORK :
COUNTY OF ERIE : SS
TOWN OF CHEEKTOWAGA :

GLADYS STURM, being duly sworn, deposes and says that she is the Deputy Town Clerk of the Town of Cheektowaga and that she did on the 13th day of February, 1947, cause to be posted copies of the annexed notice at each of the following public places in the Town of Cheektowaga by securely fastening a true copy thereof at each of the respective places indicated and within Sewer District No. 5:

Zapfel Bros. Garage, Genesee & Harlem
Pine Hill Hose Company, Genesee & Normandy
Cleveland Hill Hose Company, Harlem Road.

and that she did on the 14th day of February, 1947, likewise cause to be posted copies of the annexed notice at each of the following places in the Town of Cheektowaga in the same manner at each of the respective places indicated and within Sewer District No. 5:

Wittmans Tavern, Genesee & Cayuga
School Annex #2, Union near Genesee
U-Crest Hose Company, Clover Place.

Gladys Sturm

Sworn to before me this
1st day of March, 1947.

KENNETH W. KITZINGER
Notary Public, Erie Co., N.Y.

Mr. Nagel offered the following resolution and moved its adoption:

RESOLVED that the Building and Plumbing Inspector be and he hereby is authorized to issue a certificate approving for residence occupancy the buildings built for such use situated in Federal Housing Project Ny-30037, Maryvale Drive, of the Town of Cheektowaga.

Seconded by Mr. Pawlak, and duly put to a vote which resulted as follows:

| | | |
|-------------------|-----------|-----|
| Frank Henry | voting | Aye |
| Henry Nagel | voting | Aye |
| Stanley E. Pawlak | voting | Aye |
| Ayes: -3- | Noes: -0- | |

subject thereof,

NOW, THEREFORE, BE IT RESOLVED, that this Town Board does hereby decide at such public hearing and upon the evidence given thereat, that it is in the public interest to increase and improve the facilities of said Sewer District No. 5 of the Town of Cheektowaga by the construction of the improvements hereinbefore described, and to modify the plans of sewerage for the aforesaid District in the manner proposed, and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

Seconded by Mr. Pawlak, and duly put to a vote which results as follows:

| | | |
|-------------------|--------|-----|
| Frank Henry | voting | Aye |
| Henry Nagel | voting | Aye |
| Stanley E. Pawlak | voting | Aye |

Ayes: -3-

Noes: -0-

STATE OF NEW YORK
COUNTY OF ERIE

That I, the undersigned, Town Clerk of the Town of Cheektowaga, New York, do hereby certify that the following resolution was adopted by the Town Board of Cheektowaga, on the 12th day of February, 1947, at 4:30 o'clock P. M., Eastern Standard Time, there were:

PRESENT:
Nicholas Napieralski, Councilman
Henry Nagel, Councilman
Frank Henry, Councilman
Stanley E. Pawlak, Councilman

ABSENT:
C. Chase Zaleski, Supervisor

Mr. Nagel offered the following resolution and moved its adoption:

WHEREAS, this Town Board has heretofore determined it necessary for the proper maintenance and service of the existing trunk sewer system of Sewer District No. 5 of this Town, to increase and improve the same, and

WHEREAS, this Town Board has heretofore directed Newell L. Nussbaumer and Irving Clarke, doing business as Nussbaumer & Clarke, competent Civil Engineers duly licensed by the State of New York, to prepare a map and general plan for the improvement of such trunk sewer system and the increase thereof, and such map and plan have been duly prepared and presented to this Town Board,

AND WHEREAS, the said map and plan provide for the construction of a new trunk sewer for the improvement of the existing system of Sewer District No. 5, to

increase the length of such trunk sewer for a distance of about 700 feet on the south side of Maryvale Drive between Union and Cayuga Roads,

AND WHEREAS, the expenses of the proposed improvement is estimated by said engineers to be the sum of forty thousand and 00/100 (\$40,000.00) dollars,

BE IT THEREFORE

RESOLVED, that the said map and plan prepared by Newell L. Nussbaumer and Irving Clarke be filed forthwith in the office of the Town Clerk of Cheektowaga, and that said map and plan be available for inspection of all interested persons during the usual business hours of the Town Clerk's office.

BE IT FURTHER RESOLVED, that this Board meet at the Town Hall in said Town of Cheektowaga, on the 26th day of February, 1947, at 7:30 o'clock P. M., Eastern Standard Time, for the purpose of holding a public hearing on such map and plan and the improvements proposed thereby and for the further purpose of hearing and considering any objections which may be made to the modification of the existing plans of sewerage of the aforesaid District as proposed by said map and plan prepared by Newell L. Nussbaumer and Irving Clarke, and

BE IT FURTHER RESOLVED AND ORDERED, that the Town Clerk be and he hereby is ordered and directed to publish a certified copy of this resolution and order in the Depew Herald and Cheektowaga News, the official paper of said Town, on or before the 13th day of February, 1947, and that on or before said day he post conspicuously or cause to be posted conspicuously certified copies of this order in five public places within said district.

Seconded by Mr. Pawlak, and duly put to a vote which resulted as follows:

| | |
|------------------------------|-----|
| Nicholas Napieralski, voting | Yes |
| Henry Nagel, voting | Yes |
| Frank Henry, voting | Yes |
| Stanley E. Pawlak, voting | Yes |

ABSENT:
C. Chase Zaleski, Supervisor

STATE OF NEW YORK
COUNTY OF ERIE

TOWN OF CHEEKTOWAGA: ss.
I, ALBERT STURM, Town Clerk of the Town of Cheektowaga, Erie County, New York, DO HEREBY CERTIFY that I have compared the foregoing with the original minutes of the meeting of the Town Board of the said Town held on the 12th day of February, 1947, and that the foregoing is a true and correct transcript from said original resolution and the whole thereof, and that the resolutions duly adopted by the said Town Board are on file in my office.

I FURTHER CERTIFY that all members of said Town Board had due notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said Town of Cheektowaga, this 12th day of February,

ALBERT STURM,
(SEAL) Town Clerk

FRANK A. TABER, JR.,

being duly sworn, deposes and says that he is the

PUBLISHER of the

Depew Cheektowaga
Herald and News

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy,

was inserted and published therein once a week for

insertion being on the
day of
1947, and
day of
1947, and that not
between any two publi-

Taber Jr.

Councilman Pawlak offered the following resolution and moved its adoption:

WHEREAS, there has been presented to this Town Board a written application for the re-zoning of the hereinafter described property from a "residential district" to a "business district" and a notice of the Town Board reciting the receipt of said application and specifying the time when and place where said Town Board would meet to consider the said application and to hear all persons interested in the subject thereof concerning the same, having been published as required by law and the hearing taking place at the Town Hall, Town of Cheektowaga, New York, on February 17, 1947, at which hearing no person appeared in opposition to the proposed amendment of the zoning map, and the Town Board having given due consideration thereon.

NOW, THEREFORE,
BE IT RESOLVED, by this Town Board that the ordinance adopted December 21, 1942 and as now amended, entitled "Zoning Ordinance," be and the same hereby is amended by changing the zoning map so as to change the following described property from that of "residential district" to "business district":

DESCRIPTION

Lots No. 218-219, Map Cover 1417; Pine Ridge Heights Corner of Genesee St., and St. James Road with 70 foot frontage on Genesee St., and 125 feet on St. James Rd. and

BE IT FURTHER RESOLVED, that the Town Clerk be, and he hereby is, directed to publish in the Depew Herald and Cheektowaga News, twice, once in each week for two consecutive weeks, said amendment and to post conspicuously in at least six public places in the Town, a printed copy thereof.

Seconded by Councilman Napieralski, and duly put to vote which resulted as follows:

Stanley Pawlak, voting Aye
Nicholas Napieralski, voting Aye
Frank Henry, voting Aye
Henry Nagel, voting Aye
ABSENT: C. Chase Zalemski,
Supervisor

KENNETH W. KITZINGER,
Acting Town Clerk
Town of Cheektowaga,
Erie County, New York

md-13

Joseph Mueller

Motion was made by Mr. Pawlak, seconded by Mr. Nagel, and duly carried that warrants be drawn and bills be paid.

Motion was made by Mr. Nagel, seconded by Mr. Pawlak and duly carried that the meeting adjourn.

KENNETH W. KITZINGER
Acting Clerk

Cheektowaga, N.Y.
March 3rd, 1947

A regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in said Town of Cheektowaga, N.Y. on the 3rd day of March, 1947 at 2 o'clock P.M., Eastern Standard Time, there were:

PRESENT:

| | |
|----------------------|------------|
| Stanley Pawlak | Councilman |
| Nicholas Napieralski | Councilman |
| Henry Nagel | Councilman |

ABSENT:

| | |
|-------------------|------------|
| C. Chase Zalemski | Supervisor |
| Frank Henry | Councilman |

PRESENT: -3-

ABSENT: -2-

The meeting was called to order by the Deputy Town Clerk to transact all business that may come before the Board.

Moved by Councilman Napieralski, seconded by Councilman Nagel; Councilman Pawlak act as chairman of this meeting.

Mr. Nagel offered the following resolution and moved its adoption:

WHEREAS, this is the time and place fixed by the resolution of this Town Board adopted on the 17th day of February, 1947 and the notice to contractors published in the Depew Herald and Cheektowaga News on the 20th day of February, 1947, for the receipt of sealed proposals for the construction of the following described improvement in Arthur Street, to wit:

The construction of a lateral sewer in Arthur Street in the Town of Cheektowaga for its entire length from 150 feet distant south of Genesee Street to the southerly end of said Arthur Street at Broad Street, which sewer shall be so constructed as to serve the properties on both sides of said public highway.

NOW, THEREFORE, BE IT RESOLVED, that such sealed proposals be publicly opened and read.

Seconded by Mr. Napieralski and duly put to a vote which resulted as follows:

| | | |
|----------------------|--------|-----|
| Henry Nagel | voting | Aye |
| Nicholas Napieralski | voting | Aye |
| Stanley Pawlak | voting | Aye |

Such proposals upon being publicly opened and read were as follows:

| <u>Name of Contractor</u> | <u>Amount of Bid</u> |
|---------------------------|----------------------|
| Ben Behringer | \$2877.00 |
| Lakeland Const. Co. | \$2618.00 |
| John M. Fanning | \$4584.00 |
| H. F. Darling | \$2784.50 |
| C. E. Knowles | \$2982.50 |

Mr. Pawlak moved that the bids for the construction of improvements to the sewerage system of Arthur Street be referred to Newell L. Nussbaumer and Irving Clarke, Consulting Engineers of this Town, for analysis and tabulation, and that said Newell L. Nussbaumer and Irving Clarke be and hereby are directed to submit a report thereon at March 17, 1947, regular meeting of the Town Board.

Seconded by Mr. Nagel and duly put to a vote which resulted as follows:

| | | | |
|----------------------|-----------|-----------|--|
| Henry Nagel | voting | Aye | |
| Nicholas Napieralski | voting | Aye | |
| Stanley Pawlak | voting | Aye | |
| CARRIED: | Ayes: -3- | Noes: -0- | |
| ABSENT: -2- | | | |

STATE OF NEW YORK :
COUNTY OF ERIE : SS
TOWN OF CHEEKTOWAGA :

I, GLADYS E. STURM, Deputy Town Clerk of the Town of Cheektowaga, Erie County, New York, DO HEREBY CERTIFY that I have compared the foregoing with the original resolution duly adopted at said meeting of the Town Board held on the 3rd day of March, 1947, and that the foregoing is a true and correct transcript from said original and of the whole thereof, and that the resolutions duly adopted by said Town Board are on file in my office.

I FURTHER CERTIFY that all members of the Town Board had due notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said Town, this 3rd day of March, 1947.

GLADYS E. STURM
Deputy Town Clerk

Moved by Councilman Nagel, seconded by Councilman Napieralski, that C. Chase Zalemski, Supervisor be authorized and empowered to open a new bank account at the Manufacturers and Traders Trust Company, Cheektowaga Branch, Cheektowaga, New York, entitled "Maryvale and Related Construction Fund."

CARRIED: Ayes: -3- Noes: -0-

Communications from the Automatic Voting Machine, Collum Accoustical Corp., Department of Agriculture and Markets, Department of Health, no objections. were ordered received and filed by Chairman Pawlak.

A request for permission to erect a sign at 1640 E. Delavan from Leon Komm, was referred to the Town Board by Wm. Tadio, Bldg. Inspector. After due consideration, Chairman Pawlak advised the Clerk to notify Mr. Komm that he seek permission from the Erie County Highway Dept., as Delavan Ave. is a County Highway.

The Claim against the Town of Cheektowaga in the amount of as a result of sewage stoppage at _____ was filed by _____ his wife, was referred to Town Attorney, Kenneth W. Kitzinger, by Chairman Pawlak.

Chairman Pawlak referred the street lightin petition signed by 20 property owners along said highway, namely, Cloverdale Road. from Gardenvale Drive to Heather Road to the Board of Assessors for checking.

A petition for street lighting was presented for Mayfair Court from Cloverdale Road to end of the road, signed by nine (9) property owners. This was referred to the Board of Assessors for checking by Chairman Pawlak.

Mr. Napieralski offered the following resolution and moved its adoption:

WHEREAS, this Town Board has met with the representatives of the Federal Public Housing Authority and the Cheektowaga Housing Authority to discuss the matter of the disposition of the Tiorunda Housing Project, and

WHEREAS, this Town Board has now been informed that a definite program and procedure for such disposition is now being promulgated,

NOW, THEREFORE, BE IT RESOLVED, that this Town Board records itself in favor of the following propositions in connection with the disposition of the Tiorunda Housing Project as being in the best interests of the Town of Cheektowaga:

1. That the Tiorunda Housing Project not be used as a low-rent housing project.
2. That it be transferred to private ownership.
3. That the buildings used for residence occupancy be sold for the purpose of private ownership, as follows:
 - a. Be offered for sale to the present tenants and if such offer is rejected, then
 - b. Be offered for sale to veterans, and if rejected,
 - c. Be offered for sale to the general public.

Seconded by Mr. Nagel and duly put to a vote which resulted as follows:

| | | | |
|----------------------|---------|-----|-----------|
| Henry Nagel | voting | Aye | |
| Nicholas Napieralski | voting | Aye | |
| Stanley Pawlak | voting | Aye | |
| CARRIED: | Ayes: | -3- | Noes: -0- |
| | Absent: | -2- | |

Mr. Nagel moved the following resolution:

WHEREAS, Gaetano B. Aquiline and Joseph C. Aquiline have petitioned the Town Board to rezone the hereinafter described property from a residence district to a business district in the Town of Cheektowaga.

NOW, THEREFORE, BE IT RESOLVED, that the following notice of hearing on the proposed change of the Zoning Map and Zoning Ordinance of the Town of Cheektowaga be published in the official paper of the Town of Cheektowaga.

STATE OF NEW YORK
COUNTY OF ERIE

The Town Board of the Town of Cheektowaga, County of Erie, State of New York at the Town Hall in said Town on the 17th day of March, 1947, at 7:30 o'clock P. M., Eastern Standard Time, did meet for the purpose of considering the application of Messrs. B. Aquilino and Joseph C. [unclear] for the rezoning of the "Residence District" to "Business District" of the property [unclear] described, and amending the Zoning Map and Ordinance accordingly.

DESCRIPTION
ALL THAT TRACT OR PARCELS OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York being part of Lot No. 26, Township 11, and Range 7, bounded and described as follows:

Commencing at a point where the easterly line of Harlem road intersects the southerly line of Maryvale Drive; running thence south along the easterly line of Harlem road One Hundred Eighty-four (184) feet; thence easterly parallel to the southerly line of Maryvale Drive One Hundred Forty (140) feet; thence northerly parallel to Harlem road One Hundred Eighty-four (184) feet to the southerly line of Maryvale Drive; thence westerly along the southerly line of Maryvale Drive One Hundred Forty (140) feet to the point or place of beginning.

All parties in interest and citizens will be given an opportunity to be heard in respect to such proposed application and amendments. Dated: March 3, 1947.

By order of the Town Board of Cheektowaga, New York.
[Signature] Town Clerk

FRANK A. TABER, JR.,

being duly sworn, deposes and says that he is the

PUBLISHER of the

Depew Cheektowaga
Herald and News

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for One week, the first insertion being on the 6th day of March, 1947, and the last insertion being on the _____ day of _____, 19____, and that not more than six days intervened between any two publications thereof.

Frank A. Taber Jr.

17th day of

March 1947
Stanley L. [unclear]
Notary Public in and for Erie County.

in 46 3890

and be it further

RESOLVED, that the above notice be published at least once in the Depew Herald and Cheektowaga News, the official paper of the Town at least 10 days before the date of such hearing and the Town Clerk is hereby authorized to publish same as herein provided.

Seconded by Mr. Napieralski and duly put to a vote which resulted as follows:

CARRIED: Ayes: -3- Noes: -0-

(This was published according to law).

Mr. Nagel moved the following resolution:

WHEREAS, Ernest J. Elmer & Evelyn M. Elmer have petitioned the Town Board to rezone the hereinafter described property from a residence district to a business district in the Town of Cheektowaga.

NOW, THEREFORE BE IT RESOLVED, that the following notice of hearing on the proposed change of the Zoning Map and Zoning Ordinance of the Town of Cheektowaga be published in the official paper of the Town of Cheektowaga.

STATE OF NEW YORK
COUNTY OF ERIE

That a public hearing will be held by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, at the Town Hall in said Town on the 17th day of March, 1947, at 7:30 o'clock P.M. Eastern Standard Time of said day, for the purpose of considering the application of Ernest J. Elmer and Evelyn M. Elmer, for the rezoning from "Residence District" to "Business District" of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly.

DESCRIPTION

One frame building on Genesee street, north side, 35.14 feet west of Meadow Place, Sublots 62, 63, 64 and 65, Town of Cheektowaga.

Sublot 62: 35.14 x 150.17 feet—

35.14 feet west of Meadow Place.

Sublot 63: 35.14 x 142.36 feet—

70.28 feet west of Meadow Place.

Sublot 64: 35.15 x 134.56 feet—

103.42 feet west of Meadow Place.

Sublot 65: 35.54 x 125.52 feet—

141.58 feet west of Meadow Place.

All parties in interest and citizens will be given an opportunity to be heard in respect to such proposed application and amendments.

Dated: March 3, 1947.

By order of the Town Board of the Town of Cheektowaga,
TOWN CLERK

FRANK A. TARKER, JR.,

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga
Herald and News

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the

annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for

One week, the first insertion being on the 6th day of March, 1947, and

the last insertion being on the _____ day of _____, 19____, and that not

more than six days intervened between any two publications thereof.

Frank A. Tarker, Jr.

Sworn to before me this 11th day of

March 1947
Stanley L. Schmitt
Notary Public in and for Erie County.

and be it further

RESOLVED, that the above notice be published at least once in the Depew Herald and Cheektowaga News, the official paper of the Town at least 10 days before the date of such hearing and the Town Clerk is hereby authorized to publish same as herein provided.

Seconded by Mr. Napieralski and duly put to a vote which resulted as follows:

CARRIED: Ayes: -3- Noes: -0-

(This was published according to law).

Communication from the Board of Assessors stating they had checked the petition for extension of Garbage District on the south side of Broadway from Union Road going west to Harlem to the extent of 200 feet in depth. It was moved by Councilman Nagel, seconded by Councilman Pawlak, this petition and communication be referred to the Town Attorney.

CARRIED: Ayes: -3- Noes: -0-

Moved by Councilman Nagel, seconded by Councilman Napieralski the building petition of Wm. F. Bronson to build on Woodridge Ave. be referred to the Petitions Committee.

CARRIED: Ayes: -3- Noes: -0-

On motion of Councilman Nagel, seconded by Councilman Napieralski, the Town Clerk be authorized to draw orders on the Supervisor for the following claims when properly audited.

CARRIED: Ayes: -3- Noes: -0-

CLAIMS.

| | | |
|--------------------------|--|--------|
| Bailey Meter Co. | -for work at Disp. #5..... | 70.40 |
| H.D.Taylor | -for supplies, Disp. #5..... | 26.84 |
| Hettrich Electric | -for parts & labor, Police Dept..... | 27.28 |
| Hettrich Electric | -for supplies, Garbage Dept..... | 8.12 |
| Burroughs Adding Machine | -for supplies, Tax Office..... | .54 |
| Plunkett Chemical | -for work at Town Hall..... | 128.40 |
| Terminal Petroleum | -for gasoline, Police Dept..... | 179.56 |
| Kellogg Petroleum | -for gasoline, Disp. #5..... | 41.65 |
| Niagara Lubricant | -for supplies, Disp. #5..... | 32.35 |
| Niagara Lubricant | -for supplies, Police Dept..... | 16.75 |
| N.Y.Telephone | -for telephone service, Fire Protection..... | 44.25 |
| Dallas Chemical Sales | -for supplies, Town Hall..... | 45.20 |
| Commercial BluePrint | -for prints, Assessors Maps and Engineers..... | 72.08 |
| Millington Lockwood | -for supplies, Council Chamber..... | 15.00 |

| | | |
|--------------------------|---|---------|
| Millington Lockwood | -for supplies, Supervisors Office.... | 9.00 |
| Millington Lockwood | -for supplies. Dept. of Pub Wks..... | 7.25 |
| Millington Lockwood | -for supplies, Police Dept..... | .90 |
| Millington Lockwood | -for supplies, Town Clerks Office.... | 3.00 |
| Millington Lockwood | -for supplies, Tax Office..... | 1.25 |
| Lyth Chevrolet | -for supplies, Disp. #5..... | 1.39 |
| Ernest Less M.D. | -for emergency call from Police Dept. | 3.00 |
| Henry J. Nagel | -for expenses to Albany & return, Re: Ass'n. of Towns meeting..... | 47.55 |
| United Glazing | -for supplies, Town Hall..... | 4.05 |
| Jerge Sales | -for supplies, Garbage Dept..... | 10.30 |
| Jerge Sales | -for supplies, Police Dept..... | 2.93 |
| Brulin & Co. | -for supplies, Town Hall..... | 31.98 |
| Wolff Machine | -for work at Disp. #5..... | 41.70 |
| C. Chase Zalemski | -for postage, Supervisors Office.... | 15.00 |
| Nussbaumer & Clarke | -for supervision, Garbage Incinerator Est. #5..... | 307.37 |
| LakeLand Const. | -for construction, Garbage Inciner- ator, Est. #5..... | 8781.98 |
| Alfred J. Kless | -for transportation, Bd. of Assessors Feb. 1947..... | 41.40 |
| G.E.Holloway | -for accounting service, Feb..... | 85.00 |
| Edward H. Pfohl | -for postage, Tax Office..... | 225.42 |
| N.Y.State Elec. & Gas | -for street lighting, Feb..... | 2689.93 |
| N.Y.State Elec. & Gas | -for elec. service, Town Hall..... | 70.42 |
| N.Y.State Elec. & Gas | -for elec. service, Disp. #3..... | 570.23 |
| N.Y.State Elec. & Gas | -for elec. service, Harlem Pump Stat. | 74.76 |
| Iroquois Gas | -for gas, Alpine & Herbert..... | 30.90 |
| Theodore P. Franzek | -for expenses to Albany & return, re: Ass'n. of Towns meeting..... | 54.64 |
| Nicholas Napieralski | -for expenses to Albany & return, re: Ass'n. of Towns meeting..... | 49.49 |
| Kenneth W. Kitzinger | -for expenses to Albany & return, re: Ass'n. of Towns meeting..... | 47.29 |
| Henry Pietszak | -for service as Board member, Plumbing & Draining Examiners, 2/4/ 46 to 2/4/47..... | 50.00 |

| | | |
|--------------------------------|--|---------|
| Adolph Gaiser | -for work on maps, Assessors and Engineering..... | 264.00 |
| Joseph J. Falter | -for expenses, Albany & return, re: Ass'n. of Towns meeting..... | 50.49 |
| Isidore J. Mazurowski | -for expenses to Albany & N.Y. City, Ass'n. of Towns meeting & N.Y. Telephone Hearing..... | 89.61 |
| Remington Rand | -for service agreement, Tax Office Machine..... | 27.80 |
| Polk-Clement Directory | -for city directory..... | 35.00 |
| International Business Machine | -for electric typewriter, Town Clerk Office..... | 291.50 |
| Bankers Trust Co. | -for service as coupon agent..... | 14.75 |
| Fidelity & Deposit | -for bond, Receiver of Taxes..... | 210.00 |
| Central Council of Firemen | -for special traffic duty, 2/13/47.. | 75.00 |
| Lakeland Const. | -for repairs to Maryvale Sewer..... | 2500.00 |

Moved by Councilman Napieralski, seconded by Councilman Nagel, this Board adjourn until Monday, March 17, 1947 at 7:30 P.M.

Gladys E. Sturm
GLADYS E. STURM
Deputy Town Clerk

Cheektowaga, N.Y.
March 17th, 1947

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in said Town of Cheektowaga, on the 17th day of March, 1947 at 7:30 o'clock P.M., Eastern Standard Time, there were

PRESENT:

| | |
|----------------------|------------|
| C. Chase Zalemski | Supervisor |
| Stanley Pawlak | Councilman |
| Nicholas Napieralski | Councilman |
| Frank Henry | Councilman |
| Henry Nagel | Councilman |

PRESENT: -5-

ABSENT: -0-

The meeting was called to order by the Supervisor to transact any and all business to come before the Board.

Communication from Mrs. Gertrude Marshall regarding dogs of the Town running at large and recommended an ordinance be adopted to correct condition. The Supervisor ordered this communication received and filed and referred to the Town Board, Town Attorney and Board of Appeals.

A communication from the Como Park & Union Road Citizens & Taxpayers Ass'n., regarding widening of Como Park Blvd., stops signs at Indian Road approaching Como Park Blvd., Rowley Rd. approaching Como Park Blvd., also at Center and Homewood approaching Como Park Blvd., speed limits, lighting & garbage collection, was read. Supervisor ordered this communication received and filed & referred same to Town Board, Town Attorney and Highway Superintendent.

The Clerk read a communication from John J. Burgio, asking for sidewalks in front of the new home he intends to build on lot 37, Township 11, Range 7, Kensington Ave. Also for a street light. Supervisor Zalemski ordered this communication received and filed and referred to the Town Board and Town Attorney for study.

Moved by Councilman Pawlak, seconded by Councilman Henry, Mr. Roy R. Dispenza, Recreational Director for the Town of Cheektowaga, N.Y. be authorized to attend a Recreation Conference at Albany, New York, April 24, 25 & 26th, expenses to said conference to be a Town charge.

CARRIED:

Ayes: -5-

Noes: -0-

Moved by Councilman Pawlak, seconded by Councilman Napieralski the Buffalo Niagara Electric Corp. be notified to repair and put back in service street light standard #107, Ivanhoe Road, Town of Cheektowaga, New York.

CARRIED:

Ayes: -5-

Noes: -0-

Communication from the Public Service Commission stating a hearing would be held at the State Office Bldg., 65 Court St., Buffalo N.Y. on Tuesday, March 18, 1947 at 1:00 o'clock P.M., case #12948, N.Y. Central R.R. crossing Roy Road, also known as Schoolhouse Road & Dick Road in the Town of Cheektowaga, N.Y.

Supervisor Zalemski ordered this communication received & filed, Town Board and Town Attorney to attend.

A communication from the Board of Assessors, regarding two Cloverdale Streets in the Town of Cheektowaga & recommended changing the name of one of these streets.

Moved by Councilman Pawlak, seconded by Councilman Henry, Cloverdale Road in the Homeworth Park Subdivision under Map Cover 1060-1070 be changed on the Assessors maps to Cloverhill Road, and the Highway Supt., John J. Zablotny be notified to change the street sign

from Cloverdale Road to read Cloverhill Road.

CARRIED:

Ayes: -5-

Noes: -0-

Communication was read from the Board of Assessors regarding the petition of taxpayers on Cloverdale, Gardenvale & Heather Road, Orchard Hill Subdivision for street lighting.

Supervisor referred this petition back to the Board of Assessors.

A petition for street lights on Heather Road from Huth Rd. to end of street was presented. Supervisor Zalemski ordered this petition received & filed & referred same to the Board of Assessors, Town Board & Town Attorney.

Communication from Board of Assessors regarding the petition for Fire Protection in the Genesee-Transit section which lacked sufficient signatures.

Moved by Councilman Pawlak, seconded by Councilman Napieralski this petition be laid on the table.

CARRIED:

Ayes: -5-

Noes: -0-

Mr. Henry offered the following resolution and moved its adoption:

WHEREAS, a petition for the improvement of both sides of the public highways situate in Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 3rd day of March, 1947.

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS

FROM

TO

Mayfair Court

Cloverdale Road

end of street.

TYPE OF STREET LIGHTING INSTALLATION

Boulevard standard type, underground conduit.

WHEREAS, ISIDORE J. MAZUROWSKI, ALFRED KLESS and HERBERT NIEBERGALL, Assessors of the said Town of Cheektowaga have certified in writing to this Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage or bounds on both sides of each of said highways to be improved, as aforesaid, and

WHEREAS, the portions of said highways to be improved are situated entirely in said Town outside of any incorporated village or city therein.

NOW, THEREFORE, BE IT ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall, in said Town of Cheektowaga on the 7th day of April, 1947, at 2:00 o'clock P.M., Eastern Standard Time, to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED, that a copy of this order certified by the Town Clerk be published at least once in the Depew Herald and Cheektowaga News, the official newspaper of the Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing aforesaid and that copies of this order be posted conspicuously in five public places on each of the said highways to be improved not less than ten (10) nor more than twenty (20) days before the day designated for the hearing as afore said.

Seconded by Councilman Nagel, and duly put to a vote which resulted as follows:

| | | |
|----------------------|-----------|-----|
| C. Chase Zalemski | voting | Aye |
| Stanley Pawlak | voting | Aye |
| Frank Henry | voting | Aye |
| Henry Nagel | voting | Aye |
| Nicholas Napieralski | voting | Aye |
| AYES: -5- | NOES: -0- | |

This was published and posted according to law, copy hereto attached, and list of postings.
Posted as follows on the 21st day of March, 1947:

1. On street sign at Cloverdale & Heather Rds.
2. On street sign at Cloverdale & Mayfair Court.
3. On stake in front of House #9, Mayfair Court.
4. On stake in front of House #55, corner Cloverdale & Mayfair Court.
5. On street sign at Cloverdale & Willow Court.
6. On street sign at Cloverdale & Gardenvale Drive.

STATE OF NEW YORK
COUNTY OF ERIE

and Time, to cause a hearing to be held and to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED that a copy of this order certified by the Town Clerk be published at least once in the Depew Herald and Cheektowaga News, the official newspaper of the Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing aforesaid and that copies of this order be posted conspicuously in five public places in each of the said highways to be improved, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing aforesaid.

Seconded by Councilman Nagel, and duly put to a vote which resulted as follows:

C. Chase Zalemski, voting Aye
Stanley Pawlak, voting Aye
Frank Henry, voting Aye
Nicholas Napieralski, voting Aye
Henry Nagel, voting Aye
Ayes: 5; Noes: 0; Absent: None.

STATE OF NEW YORK

FRANK A. TANEY, JR.,

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Herald and News

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the

annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for

one week, the first insertion being on the 26th day of March, 1947 and

the last insertion being on the _____ day of _____, 19____, and that not

more than six days intervened between any two publications thereof

Frank A. Taney, Jr.

Sworn to before me this _____ day of

April 1947

Stanley T. Schmitt
Notary Public in and for Erie County.

Seconded by Councilman Nagel, and duly put to a vote which resulted as follows:

| | | |
|----------------------|-----------|-----|
| C. Chase Zalemski | voting | Aye |
| Stanley Pawlak | voting | Aye |
| Frank Henry | voting | Aye |
| Henry Nagel | voting | Aye |
| Nicholas Napieralski | voting | Aye |
| AYES: -5- | NOES: -0- | |

This was published and posted according to law, copy hereto attached, and list of postings.
Posted as follows on the 21st day of March, 1947:

1. On street sign at Cloverdale & Heather Rds.
2. On street sign at Cloverdale & Mayfair Court.
3. On stake in front of House #9, Mayfair Court.
4. On stake in front of House #55, corner Cloverdale & Mayfair Court.
5. On street sign at Cloverdale & Willow Court.
6. On street sign at Cloverdale & Gardenvale Drive.

STATE OF NEW YORK
COUNTY OF ERIE

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, in said Town of Cheektowaga, on the 17th day of March, 1947, at 7:30 o'clock P. M., Eastern Standard Time, there were:

PRESENT:
C. Chase Zalemski, Supervisor
Stanley Pawlak, Councilman
Frank Henry, Councilman
Nicholas Napieralski, Councilman
Henry Nagel, Councilman

ABSENT: None.

Mr. Henry offered the following resolution and moved its adoption: WHEREAS, a petition for the improvement of both sides of the public highway situate in Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described was presented to the Town Board on the 3rd day of March, 1947.

PUBLIC HIGHWAYS
TO BE IMPROVED
Names of Highways
Mayfair Court
Trues
Cloverdale Road

To
End of Road

TYPE OF STREET LIGHTING
INSTALLATION
Boulevard Standard Type Under-ground Conduit.

WHEREAS, NICHOLAS J. MARZUROWSKI, ALFRED KLEIN and HERBERT NIERENGALL, Assessors of said Town of Cheektowaga have certified to the Town Board that the above petition is duly signed and acknowledged in the same manner as a map to be recorded by the owners of more than one-half of the entire frontage or bounds on both sides of each of said highways to be improved, as aforesaid, and

WHEREAS, the portions of said highways to be improved are situated entirely in said town outside of any incorporated village or city therein,

NOW, THEREFORE

IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 7th day of April, 1947, at 7:30 o'clock P. M., Eastern Standard Time, to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED that a copy of this order certified by the Town Clerk be published at least once in the Depew Herald and Cheektowaga News, the official newspaper of the Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing aforesaid and that copies of this order be posted conspicuously in five public places on each of the said highways to be improved not less than ten (10) nor more than twenty (20) days before the day designated for the hearing as aforesaid.

Seconded by Councilman Nagel, and duly put to a vote which resulted as follows:

C. Chase Zalemski, voting Aye
Stanley Pawlak, voting Aye
Frank Henry, voting Aye
Nicholas Napieralski, voting Aye
Henry Nagel, voting Aye
Ayes: 5; Noes: 0; Absent: None.

STATE OF NEW YORK:
COUNTY OF ERIE : SS.

I, GLADYS E. STURM, Deputy Town Clerk of the Town of Cheektowaga, Erie County, New York, DO HEREBY CERTIFY that I have compared the foregoing with the original minutes of the meeting of the Town Board of the said Town held on the 17th day of March, 1947, and that the foregoing is a true and correct transcript from said original resolution and order and the whole thereof, and that the resolutions and orders duly adopted by the said Town Board are on file in my office.

I FURTHER CERTIFY that all members of said Town Board had due notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said Town of Cheektowaga, this 17th day of March, 1947.

(SEAL) GLADYS E. STURM,
m20 Deputy Town Clerk

FRANK A. TABER, JR.,

being duly sworn, deposes and says that he is the

PUBLISHER of the

Depew Cheektowaga
Herald and News

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 20th day of March, 1947, and the last insertion being on the day of 1947, and that not less than any two publi-

19, and that not less than any two publi-

Frank A. Taber, Jr.

Supervisor declared the hearing on the rezoning from residence to business district of Ernest J. Eimer and Evelyn M. Eimer and instructed the Clerk to read proof of publication.

Supervisor asked if there was anyone present who wished to speak in favor of the rezoning. No one was heard.

The Supervisor then asked if anyone was present who wished to speak in opposition. No one was heard.

The Supervisor then declared the hearing closed.

AT A REGULAR MEETING of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in Cheektowaga, on the 17th day of March, 1947, at 7:30 o'clock P. M., Eastern Standard Time, there were:

PRESENT:

C. Chase Zalemski, Supervisor,
Stanley Pawlak, Councilman
Nicholas Napieralski, Councilman
Frank Henry, Councilman
Henry Nagel, Councilman

ABSENT: None.

Councilman Nagel offered the following resolution and moved its adoption.

WHEREAS, there has been presented to this Town Board a written application for the re-zoning of the hereinafter described property from a "residential district" to a "business district" and a notice of the Town Board reciting the receipt of said application and specifying the time when and place where said Town Board would meet to consider the said application and to hear all persons interested in the subject thereof concerning the same, having been published as required by law and the hearing taking place at the Town Hall, Town of Cheektowaga, New York, on March 17, 1947, at which hearing no person appeared in opposition to the proposed amendment of the zoning map, and the Town Board having given due consideration thereon.

NOW, THEREFORE,

BE IT RESOLVED, by this Town Board that the ordinance adopted December 21, 1942 and as now amended, entitled "Zoning Ordinance", be and the same hereby is amended by changing the zoning map so as to change the following described property from that of "residential district" to "business district":

DESCRIPTION

One frame building on Genesee street, south side, 35.14 feet west of Meadow Place, Sublots 62, 63, 64 and 65, Town of Cheektowaga.

Sublot 62: 35.14 x 150.17 feet — 35.14 feet west of Meadow Place.

Sublot 63: 35.14 x 142.36 feet — 70.28 feet west of Meadow Place.

Sublot 64: 36.16 x 134.56 feet — 105.42 feet west of Meadow Place.

Sublot 65: 36.54 x 126.52 feet — 141.58 feet west of Meadow Place.

BE IT FURTHER RESOLVED, that the Town Clerk be, and he hereby is, directed to publish in the Depew Herald and Cheektowaga News, twice, once in each week for two consecutive weeks, said amendment and to post conspicuously in at least six public places in the Town, a printed copy thereof.

Seconded by Councilman Napieralski and duly put to a vote which resulted as follows:

C. Chase Zalemski, voting Aye
Stanley Pawlak, voting Aye
Nicholas Napieralski, voting Aye
Frank Henry, voting Aye
Henry Nagel, voting Aye

ABSENT: None.

GLADYS STURM,
Deputy Town Clerk
Town of Cheektowaga,
Erie County, New York

Supervisor declared the hearing open on rezoning from residence to business of Gaetano B. Aquiline & Joseph C. Aquiline and instructed the Clerk to read proof of publication.

Supervisor Zalemski upon examining the petition referred same to the Petitions Committee and directed the Clerk to notify the petitioners to obtain the necessary signatures to be attached to the petition.

Moved by Councilman Pawlak, seconded by Councilman Henry, Edward H. Pfohl, Receiver of Taxes and Assessments for the Town of Cheektowaga, New York, be authorized and directed to accept taxes from the County of Erie on county owned property for the year 1947 without fee.

CARRIED:

Ayes: -5-

Noes: -0-

Moved by Councilman Henry, seconded by Councilman Nagel, the petition to rezone Lot 25, Township 11, Range 7 of the Holland Land Company's survey, cover #1230, known and distinguished as Lot #A East Gran Blvd. from residence to business district and to erect a grocery store be denied, petitioners being John H. Piniewski, 113 E. Grand, Blvd., Cheektowaga, N.Y.

CARRIED:

Ayes: -5-

Noes: -0-

Petition to rezone property on Beach and Huth Road was presented and read by the Clerk, petitioners being William Ostwald and Maymer Ostwald.

Supervisor Zalemski referred this petition to the Petitions Committee and directed the Clerk to notify the petitioners to obtain the required signatures that must accompany this petition.

Petition to rezone Lots 45 and 46, Victoria B. Przelina, hearing set for April 7th, 1947, at 2 P.M.

STATE OF NEW YORK
COUNTY OF ERIE

Know all men by these presents, that I, Frank A. Taber, Jr., of the County of Erie, State of New York, do hereby certify that the following is a true and correct copy of the petition of Victoria B. Przelina, for the rezoning of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly:

DESCRIPTION
Raycroft Park Sub. M/C 1440
Town of Cheektowaga, Hamlet of
lots 45 and 46, 70 x 125 northeast
corner of Harlem and Huth, to be
used for snack bar-delicatessen.
All parties in interest and citi-
zens will be given an opportunity
to be heard in respect to such pro-
posed application and amendments.
Dated: March 17, 1947.

By order of the Town Board
of the Town of Cheektowaga,
New York.
CLAUDE E. STURM,
Deputy Town Clerk

Victoria B. Przelina

FRANK A. TABER, JR.,

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga
Herald and News

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 20th day of March, 1947, and the last insertion being on the day of , 19 , and that not more than six days intervened between any two publications thereof.

Frank A. Taber Jr.

Sworn to before me this day of

April 19 *47*

Stanley J. Isbrandt

Notary Public in and for Erie County.
STANLEY J. ISBRANDT Reg. No. 2972
Notary Public, State of New York
Residing in Erie Co. at time of appointment
My Commission Expires March 30, 1949

Petition to rezone Lots 238 and 239, north side of Northcrest 435' east from Union Road signed by J. Albert Schosek and Kathryn Schosek, from residence to business was referred to the Petitions Com. by the Supervisor.

Walter J. Marynowski, Chief of Police, spoke in regard to 35 miles speed zone on Genesee stating that it should be extended beyond the present zone which is City Line to a point 2200 feet east of Beach Road.

Moved by Councilman Nagel, seconded by Councilman Pawlak, the 35 mile speed zone be extended to Cayuga Road.

CARRIED: Ayes: -5- Noes: -0-

Walter Breissinger, spoke to the Board about law enforcement of this 35 miles per hour speed limit on Genesee St.

Supervisor referred this matter to the Chief of Police, Walter J. Marynowski, and the Sheriff's Department of Erie County.

Supervisor Zalemski also instructed Kenneth W. Kitzinger Town Attorney to make application to the Traffic Commission to have the necessary signs placed in this 35 mile speed zone.

The petition of Ralph L. Alfano and Angelo J. Alfano to rezone property described as: All those tracts or parcels of land situate in the Town of Cheektowaga, County of Erie, and State of New York being part of Farm Lot #26, T. 11, R. 7 of the Holland Land Company's survey and according to map of Beechland Subdivision filed in the office of the Clerk of the County of Erie under m/c 1266 are known and distinguished as Subdivision Lots 95 & 96.

Petitioner desired to use property for the purpose of putting a soft drink and bottling plant.

Moved by Councilman Nagel, seconded by Councilman Pawlak, this petition be denied.

CARRIED: - Ayes: -5- Noes: -0-

Building petition from Walden Properties, Inc., referred to the Town Board by the Building Inspector, Wm. Tadio, was referred to the Petitions committee and to report back to the Town Board at the next regular meeting by the Supervisor.

The building petition of William F. Bronson for a single dwelling on Woodridge Ave. was, on motion of Councilman Henry, seconded by Councilman Napieralski, denied on the basis of the denial of the Merrill Construction Corp.

CARRIED: Ayes: -5- Noes: -0-

The building petition of Koerner & Nowak, referred to the Town Board by Wm. Tadio, Building Inspector, was referred to the Petitions Committee and to report back to the Town Board at its next regular meeting, by the Supervisor Zalemski.

The building petition of George C. Morgan for a 28 apartment building, was, on motion of Councilman Henry, seconded by Councilman Napieralski, approved and granted.

CARRIED: Ayes: -5- Noes: -0-

Moved by Councilman Henry, seconded by Councilman Pawlak, Paul Muenzenmaier and Henry Pietszak be re-appointed to the Plumbing Board of Examiners for a period of one year.

CARRIED: Ayes: -5- Noes: -0-

The Straubinger Construction Corp. presented a plan for Chapel Court Apartments to be located at Union Road and Maryvale Drive in the Town of Cheektowaga.

Supervisor Zalemski ordered this plan to be filed with the Town Board so that they may give it careful study and for the Town Board to report back their findings at the Special meeting to be called by the Supervisor.

Mr. Nagel offered the following resolution and moved its adoption:

WHEREAS, on the 3rd day of March, 1947, this Town Board duly received sealed proposals for the furnishing of labor and materials necessary for the construction of the following improvements in Arthur Street of this Town:

The construction of a lateral sewer in Arthur Street in the Town of Cheektowaga for its entire length from 150 feet distant south of Genesee Street to the southerly end of said Arthur Street at Broad Street, which sewer shall be so constructed as to serve the properties on both sides of said public highway.

and referred said proposals to Newell L. Nussbaumer and Irving Clarke, doing business as Nussbaumer and Clarke, the Consulting Engineers of this Town, for analysis, tabulation and report, and

WHEREAS, Said Engineers have presented the attached analysis tabulation and report of the bids so received,

NOW, THEREFORE, BE IT RESOLVED, that this Town Board does hereby determine that Herbert F. Darling is the lowest responsible bidder whose bid and check or bond have been made and filed in conformity with Section 197 of the Town Law and with the notice to contractors as published, and

BE IT FURTHER RESOLVED, that one contract for the entire work be awarded to said Herbert F. Darling accordingly, and that such contract shall be in the form heretofore approved by this Board and shall be executed by signatures of a majority of the members elected to this Town Board, and

BE IT FURTHER RESOLVED, that the Town Clerk be and he hereby is authorized and directed to return forthwith to the unsuccessful bidders their respective bid checks or bonds.

Seconded by Mr. Pawlak and duly put to a vote which resulted as follows:

| | | |
|----------------------|--------|-----|
| C. Chase Zalemski | voting | Aye |
| Stanley Pawlak | voting | Aye |
| Nicholas Napieralski | voting | Aye |
| Frank Henry | voting | Aye |
| Henry Nagel | voting | Aye |

CARRIED:

Ayes: -5- Noes: -0-

Moved by Councilman Pawlak, seconded by Councilman Nagel, the Clerk be instructed to return all Certified checks to the unsuccessful bidders except check of H.D. Darling, who is the successful bidder.

CARRIED:

Ayes: -5-

Noes: -0-

Supervisor Zalemski ordered the plans for a recreational Park for the Town of Cheektowaga received and filed for further consideration.

Mr. Napieralski offered the following resolution and moved its adoption:

WHEREAS, a petition for the establishment of a Refuse and Garbage District in the Town of Cheektowaga, New York, to be known as Refuse and Garbage District No. 9, pursuant to the Town Law was presented to this Town Board on the 6th day of January, 1947, and

WHEREAS, Isidore J. Mazurowski, Alfred Kless and Herbert Niebergall, Assessors of the said Town of Cheektowaga have certified in writing to this Town Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by resident taxpayers owning taxable real property aggregating more than one-half of the assessed valuation of all the taxable real property situate in the territory it is proposed shall be included in a Refuse and Garbage District to be known as Refuse and Garbage District No. 9 of the Town of Cheektowaga, owned by resident taxpayers and also signed by taxpayers owning taxable real property aggregating more than one-half of the assessed valuation of all the taxable real property situate in the territory proposed to be established as said Refuse and Garbage District No. 9, and

WHEREAS, the proposed Refuse and Garbage District No. 9 is described in said petition as follows:

BEGINNING at a point situated at the intersection of the westerly line of Union Road with the southerly line of Broadway; thence westerly along the southerly line of Broadway to a point at the intersection of the easterly line of Harlem Avenue with the said southerly line of Broadway; thence southerly along the easterly line of Harlem Road two hundred (200) feet; thence easterly parallel with the southerly line of Broadway to a point at the intersection of the westerly line of Union Road; thence northerly along the westerly line of Union Road to the point of beginning, excepting therefrom that portion of the above described district which is being used as highways and streets in said Township.

WHEREAS, the territory hereinbefore described is situated entirely in said Town outside of any incorporated village or city therein,

NOW, THEREFORE, IT IS ORDERED, that the Town Board of the Town of Cheektowaga meet at the Town Hall, corner of Broadway and Union Road, Town of Cheektowaga, New York on the 7th day of April, 1947 at 2:00 o'clock P.M., Eastern Standard Time, to consider said petition and to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED, that a copy of this order certified by the Town Clerk be published at least once in the Depew Herald and Cheektowaga News, a newspaper having general circulation in the territory affected, not less than ten nor more than twenty days before the date set herein for the hearing aforesaid and that copies of this

Moved by Cou
the Clerk be instructe
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bidder.

CARRIET
Supervisor 2

SUMMARY OF BIDS
ARTHUR STREET SEWER - TOWN OF CHEEKTOWAGA, NEW YORK
BIDS OPENED MARCH 3, 1947

BIDS OPENED MARCH 3, 1921

| Item | Amount | Herbert F. Darling | Ben. Behringer | C. E. Knowles Company, Inc. | Lakeland Const. Corp. | | John M. Fahning | |
|--|----------|-----------------------|----------------|--------------------------------|--------------------------|---------------|--------------------|------------|
| | | | | | Unit | Total | | |
| 1. 8" Pipe | 6 - 8 | 570 L.F. | \$1,624.50 | \$1,653.00 | \$1,667.50 | \$2.85 | \$1,624.50 | \$2,394.00 |
| | 8 - 10 | 100 L.F. | 300.00 | 300.00 | 350.00 | 3.00 | 300.00 | 420.00 |
| 2. Manholes | 6 - 8 | 1 | 175.00 | 180.00 | 250.00 | | 165.00 | 250.00 |
| | 8 - 10 | 1 | 200.00 | 200.00 | 300.00 | | 185.00 | 250.00 |
| 3. Remodel Exist. Manhole | | | 70.00 | 100.00 | 60.00 | | 100.00 | 100.00 |
| 4. 6" Wye Branch | 40 | | 120.00 | 120.00 | 100.00 | | 120.00 | 140.00 |
| 5. Concrete | 10 C.Y. | 200.00 | Unit - 10.00 | 150.00 | 18.00 | 180.00 | 250.00 | |
| 6. Pavement Replace | 70 S.Y. | 70.00 | 210.00 | 140.00 | 1.75 | 122.50 | 490.00 | |
| 7. Sheathing Left | 1 M.B.F. | 25.00 | 100.00 | 50.00 | | 200.00 | 250.00 | |
| 8. Rock Excavation | 2 C.Y. | 0.00 | 14.00 | 25.00 | | 22.00 | 40.00 | |
| Total | | | \$2,784.50 | \$2,877.00 | \$2,982.50 | ** \$2,618.00 | \$4,584.00 | |
| Corrected Total | | | | | | \$2,617.00 | | |
| Add for Item No. 5 | | | | 100.00 | | | | |
| Add for Items No. 6 - 7 - 8 | | | | | | 402.00 | | |
| Revised Total | | | \$2,784.50 | \$2,977.00 | \$2,982.50 | \$3,019.00 | \$4,584.00 | |
| ** Total was on the basis of Items No. 1-2-3-4 and 6; other items omitted. | | | | | | | | |

at 2:00 o'clock P.M.,
and to hear all perso
the same, and

IT IS
by the Town Clerk be
Cheektowaga News, a
territory affected,
the date set herein

NOTHING BUT
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|------------|--------|-----|
| alemski | voting | Aye |
| wlak | voting | Aye |
| y | voting | Aye |
| epieralski | voting | Aye |
| | voting | Aye |

Ayes; -5- Noes: -0-

FRANK A. TAREZ, JR.,

being duly sworn, deposes and says that he is the

PUBLISHER of the

Depew Cheektowaga
Herald and News

a public newspaper published at Depew, Town of Cheek-
 towaga, Erie County, New York, that notice of which the
 annexed printed slip taken from said newspaper, is a copy,
 was inserted and published therein once a week for
 one week, the first insertion being on the
 20th day of March, 1947, and
 the last insertion being on the _____ day of
 _____, 19____, and that not
 more than six days intervened between any two publi-
 cations thereof.

Frank A. Tarez, Jr.

Sworn to before me this _____ day of

April 1947
 Stanley J. Schacht

Notary Public in and for Erie County.
 STANLEY L. SCHACHT Reg. No. 3976
 Notary Public, State of New York
 Residing in Erie County
 My Commission expires August 1st 1949

This was published and posted according to law, copy hereto attached and list of postings.

Posted as follows on the 21st day of March, 1947:

1. On telephone pole #2481, Broadway.
2. Bar 20 Restaurant, Broadway.
3. On light pole #2603, Broadway and House #2605 Bdwy.
4. On telephone pole #2677 Broadway.
5. Walter's Service Station, Broadway.
6. In front of House #3087 Broadway on electric pole

#CHH.

7. Barnharts Service Station, Broadway.

Moved by Councilman Nagel, seconded by Councilman Henry, the Town Clerk be instructed to draw orders on the Supervisor on the following claims when properly audited.

CLAIMS

| | | |
|------------------------|--|---------|
| N.Y.State Elec. & Gas | -for elec. service, Tool House..... | 43.54 |
| Terminal Petroleum | -for gasoline, Police Dept..... | 179.29 |
| Bflo. Niagara Elec. | -for elec. current, Feb. traffic..... | 25.64 |
| Bflo. Niagara Elec. | -for elec. current, Pump station..... | 248.06 |
| Bflo. Niagara Elec. | -for street & highway lighting. Feb.. | 1625.08 |
| Millington Lockwood | -for supplies, Supervisors Office.... | 3.78 |
| Millington Lockwood | -for supplies, Town Clerk..... | 4.35 |
| Millington Lockwood | for supplies, Recreation Dept..... | 5.25 |
| Millington Lockwood | -for supplies, Dept. of Pub Wks..... | 7.75 |
| Millington Lockwood | -for supplies, Police Dept..... | 1.50 |
| Lakeland Const. | -for work on Maryvale Sewer..... | 4032.00 |
| Edgar H. Denk | -for expenses to Albany & return, re: Ass'n. of Town meeting..... | 64.49 |
| John Piniewski | -for expenses to Albany & return, re: Ass'n. of Town meeting..... | 64.49 |
| Joseph Kranz | -for carpenter work, Police Dept..... | 87.40 |
| Pine Hill Free Library | -for library fund..... | 500.00 |
| Stanley E. Pawlak | -for expenses to Albany & return, Re; Ass'n. of Towns meeting..... | 57.79 |
| Western N.Y. Water | -for water, Disp. #3..... | 38.70 |
| Western N.Y. Water | -for fire hydrant service, Feb..... | 1933.33 |
| Western N.Y. Water | -for water, Disp. #5..... | 154.40 |
| Paul J. Rutecki, M.D. | -for examination, Police Dept..... | 5.00 |
| Sidney Nadolny | -for coal, Town Hall..... | 246.38 |

order be posted conspicuously in five public places within the proposed Refuse and Garbage District No. 9, not less than ten nor more than twenty days before said day designated for the hearing.

Seconded by Councilman Nagel and duly put to a vote which resulted as follows:

| | | |
|----------------------|--------|-----|
| C. Chase Zalemski | voting | Aye |
| Stanley Pawlak | voting | Aye |
| Frank Henry | voting | Aye |
| Nicholas Napieralski | voting | Aye |
| Henry Nagel | voting | Aye |

CARRIED:

Ayes; -5- Noes: -0-

STATE OF NEW YORK
COUNTY OF ERIE

That the Town of Cheektowaga, on the 17th day of March, 1947, at 7:30 o'clock P. M., Eastern Standard Time, there were:

PRESENT: C. Chase Zalemski, Supervisor, Stanley Pawlak, Councilman, Frank Henry, Councilman, Nicholas Napieralski, Councilman, Henry Nagel, Councilman

ABSENT: None.

Mr. Napieralski offered the following resolution and moved its adoption:

WHEREAS, a petition for the establishment of a Refuse and Garbage District in the Town of Cheektowaga, New York, to be known as Refuse and Garbage District No. 9, pursuant to the Town Law was presented to this Town Board on the 6th day of January, 1947, and

WHEREAS, Isidore J. Mazurkiewicz, Alfred Kloss and Herbert Niemczall, Assessors of the said Town of Cheektowaga have certified in writing to this Town Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by resident taxpayers owning taxable real property aggregating more than one-half of the assessed valuation of all the taxable real property situate in the territory it is proposed shall be included in a Refuse and Garbage District to be known as Refuse and Garbage District No. 9 of the Town of Cheektowaga, owned by resident taxpayers, and also signed by taxpayers owning taxable real property aggregating more than one-half of the assessed valuation of all the taxable real property situate in the territory proposed to be established as said Refuse and Garbage District No. 9, and

WHEREAS, the proposed Refuse and Garbage District No. 9 is described in said petition as follows: Beginning at a point situated at the intersection of the westerly line of Union Road with the southerly line of Broadway; thence westerly along the southerly line of Broadway to a point at the intersection of the easterly line of Marston Road with the said southerly line of Broadway; thence southerly along the easterly line of Marston Road two hundred (200) feet; thence easterly parallel with the southerly line of Broadway to a point at the intersection of the westerly line of Union Road; thence northerly along the westerly line of Union Road to the point of beginning, excepting therefrom that portion of the above described district which is being used as highways and streets in said Township.

WHEREAS, the territory heretofore described is situated entirely in said Town outside of any incorporated village or city therein.

NOW, THEREFORE, IT IS ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall, corner of Broadway and Union Road, Town of Cheektowaga, New York on the 7th day of April, 1947, at 8:30 o'clock P. M., Eastern Standard Time, to consider said petition and to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED, that a copy of this order certified by the Town Clerk be published at least once in the Depew Herald and Cheektowaga News, a newspaper having general circulation in the territory affected, not less than ten nor more than twenty days before the date set herein for the hearing aforesaid and that copies of this order be posted conspicuously in five public places within the proposed Refuse and Garbage District No. 9, not less than ten nor more than twenty days before said

FRANK A. TAZER, JR.,

being duly sworn, deposes and says that he is the

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Frank A. Tazer, Jr.

order be posted conspicuously in five public places within the proposed Refuse and Garbage District No. 9, not less than ten nor more than twenty days before said day designated for the hearing.

Seconded by Councilman Nagel and duly put to a vote which resulted as follows:

| | | |
|----------------------|--------|-----|
| C. Chase Zalemski | voting | Aye |
| Stanley Pawlak | voting | Aye |
| Frank Henry | voting | Aye |
| Nicholas Napieralski | voting | Aye |
| Henry Nagel | voting | Aye |

CARRIED:

Ayes; -5-

Noes: -0-

STATE OF NEW YORK
COUNTY OF ERIE

IT IS ORDERED that the Board of the Town of Cheektowaga, New York, do hereby certify that a copy of this order certified by the Town Clerk be published at least once in the Depew Herald and Cheektowaga News, a newspaper having general circulation in the territory affected, not less than ten nor more than twenty days before the date set herein for the hearing aforesaid and that copies of this order be posted conspicuously in five public places within the proposed Refuse and Garbage District No. 9, not less than ten nor more than twenty days before said day designated for the hearing.

Seconded by Councilman Nagel, and duly put to a vote which resulted as follows:

C. Chase Zalemski, voting Aye,
Stanley Pawlak, voting Aye,
Frank Henry, voting Aye,
Nicholas Napieralski, voting Aye,
Henry Nagel, voting Aye.
ABSENT: None.

STATE OF NEW YORK : SS
COUNTY OF ERIE :
TOWN OF CHEEKTOWAGA :

I, GLADYS E. STURM, Deputy Town Clerk of the Town of Cheektowaga, Erie County, New York, DO HEREBY CERTIFY that I have compared the foregoing with the original minutes of the regular meeting of the Town Board of the said Town, held on the 17th day of March, 1947, and that the foregoing is a true and correct transcript from said original resolution and the whole thereof, and that the resolutions duly adopted by the said Town Board are on file in my office.

I FURTHER CERTIFY that all members of the Town Board had due notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said Town of Cheektowaga, this 17th day of March, 1947.

(Seal)
m20

GLADYS E. STURM,
Deputy Town Clerk

FRANK A. TALLEY, JR.,

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga
Herald and News

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more than six days intervened between any two publications thereof.

day of

1947

Public in and for Erie County.
Dep. No. 3976
of New York

By _____

| | | |
|------------------------------------|---|-----------|
| Fred D. Newland | -for public liability policy..... | 220.74 |
| Fred D. Newland | -for employees Liability Policy..... | 6,101.94 |
| Fred D. Newland | -for insurance, Town Hall & contents.. | 612.50 |
| Irene Piechowicz | -for postage, Assessors, Office..... | 6.00 |
| Commercial BluePrint | -for prints, Assessors & Engineers.... | 19.24 |
| Winegar Reiman | -for parts, Police Car..... | 12.96 |
| Burroughs Adding Mch. | -for ribbon, Tax Office..... | .54 |
| John P. O'Neill | -for work on Police car radio..... | 10.35 |
| Jerge Sales | -for supplies, Garbage Dept..... | 47.65 |
| Chain Belt Co, | -for supplies, Disp. #5..... | 164.38 |
| Pine Hill Review | -for records books, Tax Office..... | 57.00 |
| Dorothy Szydlowski | -for service, taking court minutes.... | 5.00 |
| Iroquois Gas | -for gas, sewer..... | 128.15 |
| Iroquois Gas | -for gas, Harlem Lift Station..... | 34.75 |
| Liquid Carbonic | -for oxygen, Police..... | 3.00 |
| Plunkett Chemical | -for freight, work at Town Hall..... | 31.83 |
| Edward O. Winegar | -for supplies, Town Hall..... | 13.40 |
| Edward O. Winegar | -for supplies, Disp. #5..... | 14.94 |
| Joseph Davis | -for repair, boiler, Highway Dept..... | 20.45 |
| N.Y.State Employees Ret. System | -for Town's contribution to retire- ment system..... | 12,699.15 |
| Allgrim & Lang | -for supplies, Town Hall..... | 8.80 |
| Sutton Petroleum | -for oil, Police Dept..... | 46.80 |
| Lyth Chevrolet | -for parts, Dept. of Pub. Wks..... | 24.68 |
| N.Y.Telephone | -for telephone service..... | 296.77 |
| N.Y.Telephone | -for directory advertising..... | 3.00 |
| Remington Rand | -for electric adding mch, & service agreement, Tax Office..... | 249.53 |
| Bruhin & Co. | -for supplies, Town Hall..... | 45.25 |
| Bison Waste & Wiper | -for supplies, Police..... | 24.20 |

Moved by Councilman Henry, seconded by Councilman Napieralski the following minutes be approved as read by the Clerk: meetings of Jan. 27th, Feb. 3rd, 12th 17th, 24th and March 3rd, 1947.

Carried: Ayes: -5- Noes: -0-

Moved by Councilman Henry, seconded by Councilman Nagel, the Board adjourn subject to the call of the Supervisor.

Carried: Ayes: -5- Noes: -0-

GLADYS E. STURM
Deputy Town Clerk

Gladys E. Sturm

Cheektowaga, N.Y.
March 21st, 1947

At a special meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, Broadway and Union Road, Cheektowaga, N.Y. in said Town on the 21st day of March, 1947, at 3 o'clock P.M., Easter Standard Time.

The meeting was called to order by Supervisor Zalemski, and the roll being called, there were

PRESENT:

C. Chase Zalemski
Nicholas Npaierlaksi
Frank Henry
Stanley Pawlak
Henry Nagel

Supervisor
Councilman
Councilman
Councilman
Councilman

ABSENT:

None.

The following resolution was offered by Mr. Napieralski, who moved its adoption, seconded by Mr. Henry, to wit:

BOND RESOLUTION DATED MARCH 21st, 1947

A RESOLUTION AUTHORIZING THE RECONSTRUCTION OF A TRUNK SEWER IN SEWER DISTRICT NO. 5 OF THE TOWN OF CHEEKTOWAGA, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$30,000 AND PROVIDING FOR THE ISSUANCE OF \$30,000 SERIAL BONDS OF SAID TOWN TO PAY THE COST THEREOF.

BE IT RESOLVED by the Town Board of the Town of Cheektowaga, Erie County, New York, as follows:

Section 1. In accordance with the resolution of this Town Board adopted on February 24, 1947, after a public hearing, duly called, held and conducted, the reconstruction of a trunk sewer for a distance of about 700 feet on the north side of Maryvale Drive between Union and Cayuga Roads, in Sewer District No. 5 of said Town, is hereby authorized.

Section 2. The estimated maximum cost of such object or purpose is \$30,000. The plan of financing such object or purpose consists of the issuance of \$30,000 serial bonds of said Town, hereinafter authorized.

Section 3. For the purpose of paying the cost of such object or purpose, there are hereby authorized to be issued, pursuant to the Local Finance Law, \$30,000 serial bonds of the Town of Cheektowaga, New York, each designated substantially SEWER DISTRICT NO. 5 (SERIAL) BOND, SERIES A OF 1947, dated April 1, 1947, in the denomination of \$1,000 each, numbered from 1 to 30, both inclusive, maturing in numerical order in the amount of \$1,000 on April 1 in each of the years 1948 to 1977, both inclusive, and bearing interest at a rate not exceeding five per centum per annum, payable semi-annually on April 1 and October 1. Such bonds shall be in bearer coupon form with the privilege of conversion into bonds registered as to both principal and interest, and shall be payable as to both principal and interest in lawful money of the United States of America at Manufacturers and Traders Trust Company, in Buffalo, New York, which by contract is the paying agent of the issuer. Such bonds shall be signed in the name of the Town of Cheektowaga by its Supervisor and sealed with its corporate seal, attested by its Town Clerk, and the interest coupons shall bear the facsimile signature of its Supervisor.

Section 4. All other matters except as provided herein relating to such bonds shall be determined by the Supervisor. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in the form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine.

Section 5. It is hereby determined that subdivision 4 of paragraph A of Section 11.00 of the Local Finance Law applies to such object or purpose and that the period of probable usefulness thereof is thirty years.

Section 6. The faith and credit of the Town of Cheektowaga are hereby irrevocably pledged to the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be apportioned and assessed upon the several lots and parcels of land especially benefited by the aforesaid improvement in proportion to the amount of benefit which the improvement shall confer upon the same and in the pertinent manner provided in Section 202-a of the Town Law, an amount sufficient to pay the principal of and interest on such bonds as the same become due and payable. In the event that the annual collection of such assessments shall be less than the amount required to pay the principal and interest of such bonds as they shall become due, the Town Board shall direct that surplus moneys not otherwise appropriated be applied.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds are hereby delegated to the Supervisor who shall advertise such bonds for sale, conduct the sale and award the bonds in such manner as he shall deem best for the interests of said Town, provided, however, that in the exercise of these delegated powers he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds who shall not be obliged to see to the application of the purchase money.

Section 8. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote which resulted as follows:

Ayes: -5- Noes: -0-

The resolution was thereupon declared duly adopted.

The following resolution was offered by Mr. Pawlak who moved its adoption, seconded by Mr. Henry, to wit:

BOND RESOLUTION DATED MARCH 21st, 1947

A RESOLUTION AUTHORIZING THE CONSTRUCTION OF A LATERAL SEWER IN SEWER DISTRICT NO. 5 OF THE TOWN OF CHEEKTOWAGA, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$3,000 AND PROVIDING FOR THE ISSUANCE OF \$3,000 SERIAL BONDS OF SAID TOWN TO PAY THE COST THEREOF.

BE IT RESOLVED by the Town Board of the Town of Cheektowaga, Erie County, New York, as follows:

Section 1. In accordance with the petition and hearing held thereon on October 7, 1946, duly called, held and conducted, the construction of a lateral sewer in Arthur Street for its entire length from 150 feet distant south of Genesee Street to the southerly end of said Arthur Street at Broad Street, all within Sewer District No. 5 of said Town, is hereby authorized.

Section 2. The estimated maximum cost of such object or purpose is \$3,000. The plan of financing such object or purpose consists of the issuance of \$3,000 serial bonds of said Town, herein after authorized.

Section 3. For the purpose of paying the cost of such object or purpose, there are hereby authorized to be issued, pursuant to the Local Finance Law, \$3,000 serial bonds of the Town of Cheektowaga, New York, each designated substantially SEWER DISTRICT NO. 5 (SERIAL) BOND, SERIES B OF 1947, dated April 1, 1947, in the denomination of \$300 each, numbered from 1 to 10, both inclusive, maturing in numerical order in the amount of \$300 on April 1 in each of the years 1948 to 1957, both inclusive, and bearing interest at a rate not exceeding five per centum per annum, payable semi-annually on April 1 and October 1. Such bonds shall be in bearer coupon form with the privilege of conversion into bonds registered as to both principal and interest, and shall be payable as to both principal and interest in lawful money of the United States of America at Manufacturers and Traders Trust Company, in Buffalo, New York, which by contract is the paying agent of the issuer. Such bonds shall be signed in the name of the Town of Cheektowaga by its Supervisor and sealed with its corporate seal, attested by its Town Clerk, and the interest coupons shall bear the facsimile signature of its Supervisor.

Section 4. All other matters except as provided herein relating to such bonds shall be determined by the Supervisor. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine.

Section 5. It is hereby determined that subdivision 4 of paragraph a of section 11.00 of the Local Finance Law applies to such object or purpose and that the period of probable usefulness thereof is thirty years.

Section 6. The faith and credit of the Town of Cheektowaga are hereby irrevocably pledged to the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be apportioned and assessed upon the several lots and parcels of land especially benefited by the aforesaid improvement in proportion to the amount of benefit which the improvement shall confer upon the same and in the pertinent manner provided in Section 202-a of the Town Law, an amount sufficient to pay the principal of and interest on such bonds as the same become due and payable. In the event that the annual collection of such assessments shall be less than the amount required to pay the principal and interest of such bonds as they shall become due, the Town Board shall direct that surplus moneys not otherwise appropriated be applied.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor who shall advertise such bonds for sale, conduct the sale and award the bonds in such manner as he shall deem best for the interests of said Town, provided, however, that in the exercise of these delegated powers he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds.