

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 2nd day of April, 1951, at 2:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Benedict T. Holtz	Supervisor
Henry Nagel	Councilman
Felix T. Wroblewski	Councilman
Joseph A. Neibert	Councilman
Stanley Bystrak	Councilman

ABSENT: -0-

The chairman called the meeting to order.

Without any objections the reading of the minutes of the previous meeting were dispensed with until a later date.

The chairman of the Petitions Committee, Councilman Wroblewski, took from the table a communication from the Zoning Board of Appeals, recommending that the application of Edward Rogers to rezone property at the south west corner of Genesee Street and Roxborough Avenue from residence to business, to be used as a Delicatessen Store.

At the request of the Supervisor the communication was laid on the table for further study.

Communication read from Mr. Edward B. Jerzewski, chairman of the Board of Assessors requesting permission that he and his associate, Assessor Schwenk, be granted permission to attend the annual training school for Assessors at Albany, New York, on April 18th and 19th, 1951. Ordered referred to the Town Board by Supervisor Holtz.

Sub-division map of Flora Road and Maplevue Drive presented by Anthony Scumurra, ordered referred to the Town Engineer by Supervisor Holtz.

Petition for the installation of ornamental street lights on Kenview Boulevard from Cleveland Drive to Burke Drive, ordered referred to the Assessors for a property check by Supervisor Holtz.

This being the time and place advertised for a public hearing on the proposed improvement in Commodore Terrace in the Town of Cheektowaga, to wit: the construction of a lateral sewer in said highway commencing at 85 feet south of the south line of Huth Road and the center line of Commodore Terrace 1012.37 feet to a point 30 feet south from the south line of Lots Nos. 54 and 57, distance being the entire frontage of Lots Nos. 36 to 54 inclusive and 57 to 75 inclusive, plus 30 feet of Seaton Avenue. Then proceed easterly 388.09 feet to the existing sewer in the center line of Woodridge Avenue and Seaton Avenue. The aforesaid lots are inclusive under Map Cover 1633 filed in Erie County Clerk's Office, which sewer shall be so constructed to serve the properties on both sides of said public highway, the Supervisor directed the Town Clerk to present proof of the publication and posting of the Notice of Hearing, which proof was presented by the Town Clerk and was directed to be filed in the Town Clerk's Office.

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, this Town Board has this day held a public hearing on the improvement in Commodore Terrace in the Town of Cheektowaga, New York, by the construction of a lateral sewer in said highway commencing at 85 feet south of the south line of Huth Road and the center line of Commodore Terrace 1012.37 feet to a point 30 feet south from the south line of Lot Nos. 54 and 57, distance being the entire frontage of Lots Nos. 36 to 54 inclusive and 57 to 75 inclusive, plus 30 feet of Seaton Avenue. Then proceed easterly 388.09 feet to the existing sewer in the center line of Woodridge Avenue and Seaton Avenue. The aforesaid lots are inclusive under Map Cover 1633 filed in Erie County Clerk's Office, which sewer shall be so constructed to serve the properties on both sides of said public highway, 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 improve Commodore Terrace by the construction of a lateral sewer in said highway as above described, and

BE IT FURTHER RESOLVED, that Newell L. Nussbaumer and Irving Clarke, doing business as Nussbaumer and Clarke, Civil Engineers, and who are the Consulting Engineers for the Town of Cheektowaga, be and they hereby are directed to prepare definite plans and specifications and to 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 required to be performed.

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

Councilman Nagel	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Supervisor Holtz	Voting AYE

CARRIED: AYES: -5-.

Councilman Nagel presented 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 Commodore Terrace, to wit: the construction of a lateral sewer in said highway commencing at 85 feet south of the south line of Huth Road and the center line of Commodore Terrace 1012.37 feet to a point 30 feet south from the south line of Lot Nos. 54 and 57, distance being the entire frontage of Lots Nos. 36 to 54 inclusive and 57 to 75 inclusive, plus 30 feet of Seaton Avenue. Then proceed easterly 388.09 feet to the existing sewer in the center line of Woodridge Avenue and Seaton Avenue. The aforesaid lots are inclusive under Map Cover 1633 filed in Erie County Clerk's Office, which sewer shall be so constructed to serve the properties on both sides of said public highway, and

WHEREAS, this Board has heretofore directed Nussbaumer, Clarke and Velzy, 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 improvement in the sum of \$10,500.00 be and hereby is approved, and

BE IT 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 improvement in Commodore Terrace in accordance with said plans, specifications, estimate and proposed contract heretofore approved, by the publication of notice thereof at least once in the Cheektowaga Times, the official newspaper 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 \$525.00, 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 \$525.00, 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 16th day of April, 1951, at 7:30 o'clock P.M., Eastern Standard Time, and

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

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 16th day of April, 1951, at 7:30 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 Commodore Terrace, to wit: the construction of a lateral sewer in said highway commencing at 85 feet south of the south line of Huth Road and the center line of Commodore Terrace 1012.37 feet to a point 30 feet south from the south line of Lot Nos. 54 and 57, distance being the entire frontage of Lots Nos. 36 to 54 inclusive and 57 to 75 inclusive, plus 30 feet of Seaton Avenue. Then proceed easterly 388.09 feet to the existing sewer in the center line of Woodridge Avenue and Seaton Avenue. The aforesaid lots are inclusive under Map Cover 1633 filed in Erie County Clerk's Office, which sewer shall be so constructed 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 Nussbaumer, Clarke and Velzy, 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, Clarke and Velzy, 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 condition within thirty days following the award of the contract or the rejection of bid of such bidder, 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 \$525.00 payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga, or a bond with sufficient sureties to be approved by the Supervisor in a penal sum of \$525.00 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 reserves 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.

Kenneth T. Hanley,  
Town Clerk.

Dated: April 2, 1951.

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

Councilman Nagel	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Supervisor Holtz	Voting AYE

CARRIED: AYES: -5--.

Posted as follows on the 6th day of April, 1951;

Town Hall Bulletin Board;  
U-Crest Fire House, Evergreen Street and Clover Place;  
Pine Hill Fire House, Genesee Street and Normandy Avenue;  
Rescue Fire House, Pine Ridge Road;  
Doyle Fire House No. 2, William and Alaska Street;

Hereto is a copy of notice published in the Cheektowaga Times, the official paper of the Town of Cheektowaga, New York;

**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 16th day of April, 1951, at 7:30 o'clock P.M., Eastern Standard Time, at 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 Commodore Terrace, to wit: the construction of a lateral sewer in said highway commencing at 85 feet south of the south line of Huth Road and the center line of Commodore Terrace 1012.37 feet to a point 30 feet south from the south line of Lot Nos. 54 and 57, distance being the entire frontage of Lot Nos. 36 to 54 inclusive and 57 to 75 inclusive, plus 30 feet of Seaton Avenue. Then proceed easterly 388.09 feet to the existing sewer in the center line of Woodridge Avenue and Seaton Avenue.

The aforesaid lots are inclusive under Map Cover 1633 filed in Erie County Clerk's Office, which sewer shall be so constructed 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 Nussbaumer, Clarke & Velzy, 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, Clarke & Velzy, 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 condition within thirty days following the award of the contract or the rejection of bid of such bidder, 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 \$525.00 payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga, or a bond with sufficient sureties to be approved by the Supervisor in a penal sum of \$525.00 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 reserves 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.

KENNETH T. HANLEY,  
Town Clerk.

Dated: April 2nd, 1951.

STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA } ss.

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for One weeks:  
first publication APR 5 1951  
last publication APR 5 1951  
and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

APR 5 1951  
day of ....., 19.....

*Eve J. Allis*

Notary Public in and for Erie County, N. Y.

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1953  
Registered No. 5029



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This being the time and place advertised for a public hearing on the proposed improvement of Darwin Drive in the Town of Cheektowaga, to wit: the construction of a lateral sewer in said highway commencing at the intersection of Cleveland Drive and Darwin Drive at the existing sewer, thence northerly along the center line of Darwin Drive to the Amherst Town Line, for the entire length of said street within said Township, which sewer shall be so constructed to serve the properties on both sides of said public highway, Darwin Drive, the Supervisor directed the Town Clerk to present proof of the publication and posting of the Notice of Hearing, which proof was presented by the Town Clerk and was directed to be filed in the Town Clerk's Office.

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, this Town Board has this day held a public hearing on the improvement of Darwin Drive in the Town of Cheektowaga, New York, by the construction of a lateral sewer in said highway commencing at the intersection of Cleveland Drive and Darwin Drive at the existing sewer, thence northerly along the center line of Darwin Drive to the Amherst Town Line, for the entire length of said street within said Township, which sewer shall be so constructed to serve the properties on both sides of said public highway, 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 improve Darwin Drive by the construction of a lateral sewer in said highway as above described, and

BE IT FURTHER RESOLVED, that Newell L. Nussbaumer and Irving Clarke, doing business as Nussbaumer Clarke and Velzy, Civil Engineers, and who are the consulting engineers for the Town of Cheektowaga, be and they hereby are directed to prepare definite plans and specifications and to 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 required to be performed.

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

Councilman Nagel	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Supervisor Holtz	Voting AYE

CARRIED: AYES: -5-

This being the time and place advertised for a public hearing on the proposed extension of Fire and Water District No. 2, in the Town of Cheektowaga, New York, as hereinafter more particularly described;

particularly described as follows:

BEGINNING at a point formed by the intersection of the center line of Harlem Road and the center line of Straley Avenue; thence east along a line, said line being the extension easterly of the center line of Straley Avenue to the east line of subdivision of North Harlem Land Company shown on map filed in the Erie County Clerk's Office under Cover No. 400; thence northerly along the east line of said subdivision to the north line of said subdivision; thence westerly along the north line of said subdivision to a point 500 feet east of the center line of Harlem Road; thence north along a line 500 feet east of the center line of Harlem Road and parallel thereto to the south line of the Pine Ridge Heights No. 2 subdivision as shown under Cover No. 1469 filed in the Erie County Clerk's Office; thence east along the south line of said last mentioned subdivision to the southeast corner of the same; thence north along the east line of the said last mentioned subdivision to the northwest corner of lands now or formerly owned by Louis Schies; thence east along the north line of said Schies' Lands to the east line of the right of way of the Niagara Lockport & Ontario Power Company; thence south along the east line of the said right of way to the

avenue to the east line of the property of the Lackawanna Steel Company; thence south along the east line of said Lackawanna Steel Company's property to the north line of the right of way of the New York Central Railroad; thence westerly along the north line of said right of way to the center line of Harlem Road; thence north along the center line of Harlem Road to the point of beginning.

The Supervisor directed the Town Clerk to present proof of publication of the Notice of Hearing.

The Town Clerk presented proof that such notice has been duly published, and upon 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 appeared in opposition to the proposed extension of Fire and Water District No. 2, the Supervisor ordered the hearing closed and decision was reserved.

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of Cheektowaga, Erie County, New York, hold a public hearing on the 23rd day of April, 1951, at 7:30 o'clock P.M., Eastern Standard Time, in the Council Chambers of the Town Hall, to discuss the advisability of having all telephone subscribers in the Town listed in the Telephone Directory under the heading of Cheektowaga, and

BE IT FURTHER RESOLVED, that the Town Clerk be authorized and directed to have a representative of the New York Telephone Company present on the above mentioned date, and

BE IT FURTHER RESOLVED, that the Press print an article in their respective newspapers advising the public of said public hearing.

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

Councilman Nagel

Councilman Wroblewski

Councilman Neibert

Councilman Bystrak

Supervisor Holtz

Voting AYE

Voting AYE

Voting AYE

Voting AYE

Voting AYE

CARRIED; AYES: -5-

Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, this Town Board provisionally appointed Albert J. Kamm Town Engineer of the Town of Cheektowaga, New York; and his work as such Town Engineer requires him to supervise the construction of buildings and all public improvements, as well as the maintenance of the sewer system, disposal plants, and incinerator; and, in the opinion of the Town Board, the appointment of an acting Superintendent of Public Works would promote greater efficiency in the administration of the various departments, having charge over the inspection of buildings, plumbing, garbage collection and disposal, trunk and lateral sewers, and disposal plants,

BE IT RESOLVED, that the position of acting Superintendent of Public Works be created, and Albert J. Kamm, Town Engineer, be and he is hereby appointed to fill said position, along with his other duties as Town Engineer, without any increase in pay; and

BE IT FURTHER RESOLVED, that all Department Heads and employees under them be placed under his jurisdiction and direction, as follows:

General Foreman and all other employees of the Sanitation Department

Building and Plumbing Inspector and his assistant

The Superintendent of Disposal Plants and all employees in that Department

Sewer Inspector

and,

BE IT FURTHER RESOLVED, that the heads of these departments be required to submit to the acting Superintendent of Public Works a detailed, written report of all matters attended to by them during the preceding week; on the Tuesday of each week; and

BE IT FURTHER RESOLVED, that the Acting Superintendent of Public Works submit a written report of all matters arising in the various departments on the Saturday preceding regular Town Board meetings, which are held on the first and third Mondays of each month.

Supervisor Holtz vacated the chair to second the motion and duly put to a vote which resulted as follows:

Councilman Nagel

Councilman Wroblewski

Voting NAYE

Voting NAYE

Councilman Neibert  
Councilman Eystrak  
Supervisor Holtz

Voting NAYE  
Voting AYE  
Voting AYE

Motion lost - AYES: -2-

NAYES: -3-.

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the Town Clerk be authorized and directed to issue Building Permits on applications processed by the Petitions Committee on March 24th, and 31st, 1951, after same have been approved by the Building Inspector.

Seconded by Councilman Eystrak.

CARRIED: AYES: -5-.

Councilman Nagel presented the following resolution and moved its adoption:

RESOLVED, that the Town Clerk be authorized and directed to contract with the New York State Gas and Electric Corporation, for the installation of a street light at the corner of Broad Street and Pleasant Avenue, in the Town of Cheektowaga, New York.

Seconded by Councilman Neibert.

CARRIED: AYES: -5-.

Councilman Nagel moved seconded by Councilman Neibert that all bills audited at this meeting be paid and that the Town Clerk be authorized and directed to draw orders on the Supervisor for payment of same.

CARRIED: AYES: -5-.

Orders No. 4179 to NO. 4266 inclusive drawn on the Supervisor.

Mr. Frank Silwinski, , was granted the floor and complained about flooded street conditions on William Street, from Harlem Avenue to Andrews Street. Ordered referred to the Supervisor and the Town Board for investigation.

Mr. W.M. Shorres, , was granted the floor and complained about water and flood conditions in the area of Rosewood Terrace. Ordered referred to the Building Inspector for investigation.

Councilman Nagel moved seconded by Councilman Wroblewski to adjourn.

CARRIED: AYES: -5-.

SEAL

Kenneth T. Hanley,  
Town Clerk.

*Kenneth T. Hanley*

Cheektowaga, New York  
April 16, 1951.

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At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, on the 16th day of April, 1951, at 7:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT:	Benedict T. Holtz	Supervisor
	Henry Nagel	Councilman
	Felix T. Wroblewski	Councilman
	Stanley Bystrak	Councilman
ABSENT:	Joseph A. Neibert	Councilman

The chairman called the meeting to order.

Without any objections the reading of the minutes of the previous meeting were dispensed with until a later date.

The Supervisor stated that this was the time and the place for the receiving of bids for the construction of a lateral sanitary sewer in Commodore Terrace.

On a motion of Councilman Nagel, seconded by Councilman Wroblewski, the time for receiving of bids was ordered closed.

The Town Clerk then read the notice of publication to contractors and presented proof of publication.

( Copy of said notice is hereto attached )

**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 16th day of April, 1951, at 7:30 o'clock P.M., Eastern Standard Time, at 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 Commodore Terrace, to wit: the construction of a lateral sewer in said highway commencing at 85 feet south of the south line of Huth Road and the center line of Commodore Terrace 1012.37 feet to a point 30 feet south from the south line of Lot Nos. 54 and 57, distance being the entire frontage of Lot Nos. 36 to 54 inclusive and 57 to 75 inclusive, plus 30 feet of Seaton Avenue. Then proceed easterly 388.09 feet to the existing sewer in the center line of Woodridge Avenue and Seaton Avenue.

The aforesaid lots are inclusive under Map Cover 1633 filed in Erie County Clerk's Office, which sewer shall be so constructed 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 Nussbaumer, Clarke & Velzy, 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, Clarke & Velzy, 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 condition within thirty days following the award of the contract or the rejection of bid of such bidder, 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 \$525.00 payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga, or a bond with sufficient sureties to be approved by the Supervisor in a penal sum of \$525.00 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 reserves 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.

KENNETH T. HANLEY,  
Town Clerk.

Dated: April 2nd, 1951.

STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA } ss.

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks; first publication APR 5 1951 last publication APR 5 1951 and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of APR 5 1951, 19.....

*Eve J. Allis*

Notary Public in and for Erie County, N. Y.

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1952

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, Mr. Irving Clarke, of Nussbaumer Clarke and Velzy, Consulting Engineers for the Town Of Cheektowaga, believing it to be in the best interest of the Town of Cheektowaga, that the proposed lateral sanitary sewer in Commodore Terrace be so constructed as to run directly down the center of Commodore Terrace, and that same be filled with bank run gravel, and that it would be unfair to open the sealed bids at this time, and that corrected plans and specifications will be re-submitted,

NOW, THEREFORE,

BE IT RESOLVED, that the unopened sealed bids for the construction of a lateral sanitary sewer in Commodore Terrace be returned to the bidders.

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

Henry Nagel	Voting AYE
Felix T. Wroblewski	Voting AYE
Stanley Bystrak	Voting AYE
Benedict T. Holtz	Voting AYE

CARRIED: AYES: -4-.

Communication read from the U.S. Rubber Reclaiming Company relating to odors emanating from its Cheektowaga Plant.

On a motion by Councilman Wroblewski, seconded by Councilman Nagel the communication was ordered to be laid on the table for one week.

Request for a street light at the corner of Peinkofer Drive and Union Road, ordered referred to Councilman Bystrak, chairman of the Public Utilities Committee.

Communication read from Mr. J.E. Niland, Senior Civil Engineer, State Department of Public Works, relating to a meeting to be held on the 19th day of April, 1951, at the State Office Building relating to the construction of a section of the Ontario Thru-Way from Walden Avenue to William Street in the Town of Cheektowaga. Ordered received and filed by Supervisor Holtz.

Communication read from the Town Park Homeowners Association, relating to the officers installed for the year 1951. Ordered received and filed by Supervisor Holtz.

Communication read from Mr. R.W. Pease, Director of Dog Licensing, relating to the 1950 Report of Dog Licensing and Dog Damage. Ordered received and filed by Supervisor Holtz.

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that Frank Gittere be granted an additional 30 day sick leave of absence, same to expire on May 15, 1951.

Seconded by Councilman Nagel. CARRIED: AYES: -4-.

Councilman Nagel presented the following resolution and moved its adoption:

RESOLVED, that the sub-division map dated February 9, 1951, prepared by Nussbaumer Clarke and Velzy Inc., engineers, of part of lands shown on maps filed in Erie County Clerk's Office under Covers 1462 and 1467, be approved and ordered filed in the Town Clerk's Office.

Seconded by Councilman Wroblewski. CARRIED: AYES: -4-.

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the County Highway Superintendent be requested to erect Boulevard Stop Signs on William Street at its intersection with Cayuga Creek Road in the Town of Cheektowaga, New York.

Seconded by Councilman Nagel. CARRIED: AYES: -4-.

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Councilman Nagel presented the following resolution and moved its adoption:

RESOLVED, that the request of Assessors Jerzewski and Schwenk to attend the Annual Training School for Assessors at Albany, New York, on April 18th, 19th, and 20th, be granted.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -4-.

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the Town Clerk be authorized and directed to issue building permits on application processed by the Petitions Committee on April 7th, 14th and 16th, 1951, after same have been approved by the Building Inspector.

SECONDED BY Councilman Bystrak.

CARRIED: AYES: -4-.

Councilman Nagel presented the following resolution and moved its adoption:

RESOLVED, that the request of the Board of Fire Commissioners of U-Crest Fire District No. 4 for the installation of fire hydrants in the following locations be approved and ordered installed;

Corner of Linda Drive and Maryvale Drive, 500 feet south of Maryvale Drive on Linda Drive;

End of water line on Linda Drive;

and,

BE IT FURTHER RESOLVED, that the Town Clerk be authorized to notify the Western New York Water Company to install the hydrants.

Seconded by Councilman Bystrak.

CARRIED: AYES: -4-.

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the request of the Board of Fire Commissioners of Pine Hill Fire District No. 5 for the installation of fire hydrants be granted and ordered installed at the following locations to be approved by the Fire Commissioners;

Park Edge Avenue;

Pine Hill High School;

Most Holy Redeemer School;

Herbert Avenue;

Grandview Boulevard;

Grandview Boulevard and Northern Parkway;

and,

BE IT FURTHER RESOLVED, that the Town Clerk be authorized to notify the Western New York Water Company to install said hydrants.

Seconded by Councilman Nagel.

CARRIED: AYES: -4-.

Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, Aloysius Kasprzak, an employee in the Sanitation Department ( Incinerator ), became sick after the last meeting of the Town Board and was absent due to sickness from the 3rd to the 10th days of April, 1951,

BE IT RESOLVED, that the Supervisor be and he is hereby authorized to pay said Aloysius Kasprzak for said period of time; and

BE IT FURTHER RESOLVED, that a record be kept of the sick leave granted him from April 3rd to April 10, 1951.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -4-.

Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, the first two weeks in May have been set aside throughout the Country as a clean-up period; and

WHEREAS, the Town of Cheektowaga, New York, wishes to join in the "Clean-Up Campaign" sponsored by the Cheektowaga Chamber of Commerce and several other groups and organizations within the Township,

BE IT RESOLVED, that during the first two weeks of May, 1951, a "Clean-Up Campaign" be conducted, and that all public officials, citizens, and residents of the Town be requested to join in this campaign to the end that all premises within the Township be cleared of rubbish of all kinds; and



BE IT FURTHER RESOLVED, that all property owners and residents of the Town be encouraged to join this "Clean-Up Campaign" to the end that the Town of Cheektowaga, New York, will again receive recognition as one of the cleanest and finest maintained Towns in the Country.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -4-.

Councilman Nagel presented the following resolution and moved its adoption:

In order to afford each member of the Town Board an opportunity to be fully informed as to resolutions which are to be presented for action by the Town Board,

BE IT RESOLVED, that all resolutions except as otherwise herein provided must be filed with the Town Clerk on the Saturday preceding regular meetings of the Town Board, and

BE IT FURTHER RESOLVED, that at the meeting of the Town Board at which said resolution is presented for the first time, any member of the Board shall have the right to ask to have said resolution layed on the table for further study until the next regular meeting of the Town Board. The Town Board shall take no action on said resolution until the next regular meeting of the Town Board, or at such later date as the Town Board, by majority vote, shall determine; and

BE IT FURTHER RESOLVED, that the Town Board shall have the power to waive provisions of this resolution by unanimous consent of the members present.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -4-.

Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, this Town Board provisionally appointed Albert J. Kamm Town Engineer of the Town of Cheektowaga, New York, and his work as such Town Engineer requires him to supervise all public improvements, as well as the maintainance of the sewer system, disposal plants, and incinerator; and

WHEREAS, the Town Board believes that it would promote greater efficiency in the administration of the various departments hereinafter mentioned if the same were placed under the supervision and jurisdiction of the Town Engineer,

BE IT RESOLVED, that the following department heads and employees under them be placed under the jurisdiction and direction of the Town Engineer, as follows:

General Foreman and all other employees of the Sanitation  
Department

Superintendent of Disposal Plants and all employees in that  
Department

Sewer Inspector  
Draftsman

and,

BE IT FURTHER RESOLVED, that the heads of these departments be required to submit to the Town Engineer a detailed, written report of all matters attended to by them and their employees during the preceding week, not later than Tuesday of the following week; and

BE IT FURTHER RESOLVED, that the Town Engineer submit a written report of all matters arising in the various Departments on the Saturday preceding Town Board meetings, which are held on the first and third Mondays of each month;

and

BE IT FURTHER RESOLVED, that the Building and Plumbing Inspector and his assistant remain under the supervision and control of the Town Clerk; and that the Building and Plumbing Inspector make a detailed, written report of all matters attended to by him and his assistant twice each month, so that said report shall be available for consideration by the Town Board at its regular meetings, which are held on the first and third Mondays of each month.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -4-.



Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, there has been duly presented to this Town Board a written petition in due form together with the necessary map and plan for the extension of the existing Fire District in this Town, known as Walden Fire District No. 2, by annexing thereto the territory situate in such Town and hereinafter described, and an order of the Town Board reciting the filing of said petition and specifying the time when and place where said Town Board would meet to consider said petition and to hear all persons interested in the subject thereof concerning the same having been published and posted as required by law, and the hearing having taken place at the Town Hall, corner of Broadway and Union Road, Town of Cheektowaga, New York, on the 2nd day of April, 1951, at 2:30 o'clock P.M., Eastern Standard Time, at which hearing all persons interested in the subject matter were given an opportunity to be heard and the Town Board having given due consideration thereon; and

WHEREAS, the said petition was presented to the Town Board on the 17th day of February, 1951, for the extension of the existing Fire District No. 2 of the Town of Cheektowaga, New York, is signed, approved, and acknowledged, as required by law, and is otherwise sufficient, and there is attached to said petition a map and plan prepared by Newell L. Nussbaumer and Irving Clarke, Engineers, duly licensed by the State of New York, showing the boundaries of the existing Fire District, and the general plan of the proposed extension; and

WHEREAS, it is not proposed or required that the Town shall finance the cost of the extension by the issuance of bonds, notes, certificates, or other evidences of indebtedness of the Town therefor; and

WHEREAS, there is annexed to the petition the consent duly executed by the Fire Commissioners of Fire District No. 2;

NOW THEREFORE, after due deliberation, it is hereby

RESOLVED AND DETERMINED:

FIRST: That the petition is signed and acknowledged or proved as required by law and is otherwise sufficient;

SECOND: That it is in the public interest to grant the relief sought;

THIRD: That all property and property owners included within the proposed district are benefitted thereby;

FOURTH: That all property and property owners benefitted are included therein, and that no property or property owners or persons benefitted thereby have been excluded therefrom; and

BE IT FURTHER RESOLVED, that the Supervisor be and he is hereby authorized on behalf of the Town of Cheektowaga, New York, to apply to the Department of Audit and Control of the State of New York for its approval of the extension of said Fire District; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be filed by the Town Clerk of the Town of Cheektowaga in the Erie County Clerk's Office within ten (10) days of the date of its adoption; and

BE IT FURTHER RESOLVED, that the petition for the extension of the existing Fire District No. 2 be and the same hereby is granted and the said existing Fire District No. 2 is hereby extended to embrace the following described territory:

DESCRIPTION OF TERRITORY PROPOSED TO  
BE ANNEXED TO WALDEN FIRE DISTRICT  
NO. 2

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, and State of New York, and more particularly described as follows:

BEGINNING at a point formed by the intersection of the center line of Harlem Road and the center line of Straley Avenue; thence east along a line, said line being the extension easterly of the center line of Straley Avenue to the east line of Subdivision of North Harlem Land Company shown on map filed in the Erie County Clerk's Office under Cover No. 400; thence northerly along the east line of said subdivision to the north line of said subdivision; thence westerly along the north line of said subdivision to a point 500 feet east of the center line of Harlem Road; thence north along a line 500 feet east of the center line of Harlem Road and parallel thereto to the south line of the Pine Ridge Heights No. 2 subdivision as shown under Cover No. 1469 filed in the Erie County Clerks' Office;

thence east along the south line of said last mentioned subdivision to the southeast corner of the same; thence north along the east line of the said last mentioned subdivision to the northwest corner of lands now or formerly owned by Louis Schies; thence east along the north line of said Schies' land to the east line of the right-of-way on the Niagara Lockport and Ontario Power Company; thence south along the east line of the said right-of-way to the north line of Walden Avenue as now used and laid out; thence easterly along the north line of said Walden Avenue to the east line of the property of the Lackawanna Steel Company; thence south along the east line of said Lackawanna Steel Company's property to the north line of the right-of-way of the New York Central Railroad; thence westerly along the north line of said right-of-way to the center line of Harlem Road; thence north along the center line of Harlem Road to the point of beginning.

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

Councilman Nagel	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Supervisor Holtz	Voting AYE

CARRIED: AYES: -4-

ABSENT: -1-

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, there has been duly presented to this Town Board a written petition in due form together with the necessary map and plan for the extension of the existing water district in this Town known as Water District No. 2 by annexing thereto the territory situate in such Town and hereinafter described and an order of the Town Board reciting the filing of said petition and specifying the time when and place where said Town Board would meet to consider the said petition and to hear all persons interested in the subject thereof concerning the same, having been published and posted as required by law, the hearing having taken place at the Town Hall, corner of Broadway and Union Road, Town of Cheektowaga on April 2, 1951 at which hearing no person appeared in opposition to the proposed extension and the Town Board having given due deliberation thereon, and

WHEREAS, the said petition dated the 17th day of February 1951, for the extension of the existing Water District No. 2 in the Town of Cheektowaga, New York, is signed, proved and acknowledged as required by law and is otherwise sufficient and that there is annexed to said petition a map and plan prepared by Newell L. Nussbaumer and Irving Clarke, competent engineers, duly licensed by the State of New York, showing the boundaries of the existing water district and the territory proposed as an extension of said water district, the general plan of the proposed water system, source of water supply, the water mains, distribution pipes, hydrants, reservoirs, if any, and the location of each, and

WHEREAS, it is not proposed or required that the town shall finance the cost of this extension by the issuance of the bonds, notes, certificates or other evidences of indebtedness of the Town therefor,

NOW, THEREFORE

BE IT RESOLVED, that it is in the public interest to grant the whole relief sought by said petition, and that all the property owners, and interested persons within said proposed extension of the existing water district are benefitted thereby, and that all property or property owners benefitted are included therein and that no property or property owners or interested persons benefitted thereby have been excluded therefrom, and

BE IT FURTHER RESOLVED, that the petition for the extension of the existing Water District No. 2 be and the same hereby is granted and the said existing water district No. 2 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, and more particularly described as follows;

BEGINNING at a point formed by the intersection of the Center line of Harlem Road and the center line of Straley Avenue; thence east along a line, said line being the extension of the center line of Straley Avenue to the east line of subdivision of North Harlem Land Company shown on map filed in the Erie County Clerk's Office under Cover No. 400; thence northerly along the east line of said subdivision to the north line of said subdivision; thence westerly along the north line of said subdivision to a point 500 feet east of the center line of Harlem Road; thence north along a line 500 feet east of the center line of Harlem Road and parallel thereto to the south line of the Pine Ridge Heights No. 2 subdivision as shown under Cover No. 1469 filed in the Erie County Clerk's Office; thence east along the south line of said last mentioned subdivision to the southeast corner of the same; thence north along the east line of the said last mentioned subdivision to the northwest corner of lands now or formerly owned by Louis Schies; thence east along the north line of said Schies' lands to the east line of the right of way of the Niagara Lockport and Ontario Power Company; thence south along the east line of the said right of way to the north line of Walden Avenue as now used and laid out; thence easterly along the north line of said Walden Avenue to the east line of the property of the Lackawanna Steel Company; thence south along the east line of said Lackawanna Steel Company's property to the north line of the right of way of the New York Central Railroad; thence westerly along the north line of said right of way to the center line of Harlem Road; thence north along the center line of Harlem Road to the point of beginning.

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

Councilman Nagel	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Supervisor Holtz	Voting AYE

CARRIED: AYES: -4-

ABSENT: -1-

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, Daylight Saving Time becomes effective in the Buffalo area at 2:00 A.M. on the morning of April 29, 1951,

BE IT RESOLVED, that the Town Board adopt Daylight Saving Time as the official time for all official business conducted, commencing April 29, 1951, at 2:00 A.M., and continuing to September 30, 1951, at 2:00 A.M.

Seconded by Councilman Nagel.

CARRIED: AYES: -4-

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, Wilfred F. White, a disabled war veteran, is number 2 on the Police Civil Service list and is qualified to do typing, and

WHEREAS, the Chief of the Police Department is in need of the services of a patrolman to assist him in keeping records of the Police Department, along with his other duties, be it

RESOLVED, that Wilfred F. White, Cheektowaga, New York, be and he is hereby appointed a probationary patrolman of the Town of Cheektowaga, New York, at an

annual salary of \$3,000.00 per year payable semi-monthly, and be it further,

RESOLVED, that a copy of this resolution be forwarded to the Personnel Director of Erie County.

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

Councilman Nagel	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Supervisor Holtz	Voting AYE

CARRIED: AYES: -4-

ABSENT: -1-

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, the Chief of Police has recommended to the Town Board that it is necessary to more diligently enforce traffic laws in the Township with respect to reckless driving and speeding; and that it is the custom that traffic on our highways will greatly increase during the spring and summer months; and that it is necessary to assign several policemen to motorcycle duty, and in order to give the Police the fullest cooperation in the enforcement of all traffic laws,

BE IT RESOLVED, that the two Justices of the Peace of the Town of Cheektowaga be requested to convene court during the day and evening; and

BE IT FURTHER RESOLVED, that the Supervisor be and he is hereby authorized to purchase from Buffalo Harley Davidson Company, for the Police Department, and charge to the Police Fund, two 1951 Police Model 74 cu. In. Harley Davidson Motorcycles, equipped with front safety guard, jiffy stand, 5:00 x 16 tires, air cleaner, rear wheel siren. speedometer hand control, deluxe solo saddle, pursuit lamps with toggle switch and blinker unit, finished in Police Silver, plus FM radio application kit, installed, which included radio generator, regulators, 44 amp. hr. battery, special oil tank and radio carrier complete at One Thousand, One Hundred Forty Eight Dollars and Fifty-Eight Cents (\$1,148.58) each, total Two Thousand, Two Hundred Ninety-Seven Dollars and Sixteen Cents (\$2,297.16).

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

Councilman Nagel	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Supervisor Holtz	Voting AYE

CARRIED: AYES: -4-

ABSENT: -1-

Councilman Nagel presented 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 Darwin Drive, to wit: the construction of a lateral sewer in said highway commencing at the intersection of Cleveland Drive and Darwin Drive at the existing sewer, thence northerly along the center line of Darwin Drive to the Amherst Town Line, for the entire length of said street within said Township, which sewer shall be so constructed to serve the properties on both sides of said public highway, Darwin Drive; and

WHEREAS, this Board has heretofore directed Newell L. Nussbaumer and Irving Clarke, doing business as Nussbaumer and 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 improvement in the sum of Fifteen thousand dollars (\$15,000.00) be and hereby is approved; and

00

BE IT 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 improvement in Darwin Drive in accordance with said plans, specifications, estimate, and proposed contract heretofore approved, by the publication of notice thereof at least once in the Cheektowaga Times, 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 Seven Hundred and Fifty Dollars (\$750.00), 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 Seven Hundred and Fifty Dollars (\$750.00), 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 7th day of May, 1951, at 2:30 o'clock P.M., Eastern Daylight Saving Time; and

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

#### 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 7th day of May, 1951, at 2:30 o'clock P.M., Eastern Daylight Saving 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 Darwin Road, to wit: the construction of a lateral sewer in said highway on Darwin Drive, commencing at the intersection of Cleveland Drive and Darwin Drive at the existing sewer, thence northerly along the center line of Darwin Drive to the Amherst Town Line, for the entire length of said street within said Township, 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 and 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 condition within thirty days following the award of the contract or the rejection of bid of such bidder, 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 Seven Hundred and Fifty Dollars (\$750.00), payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga, or a bond with sufficient sureties to be approved by the Supervisor in a penal sum of Seven Hundred and Fifty Dollars (\$750.00), 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 reserves 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.

Kenneth T. Hanley,  
Town Clerk.

Dated: April 16, 1951.



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

Councilman Nagel  
Councilman Wroblewski  
Councilman Bystrak  
Supervisor Holtz

Voting AYE  
Voting AYE  
Voting AYE  
Voting AYE

CARRIED: AYES: -4-

ABSENT: -1-

Posted as follows on the 23rd day of April, 1951;

Town Hall Bulletin Board;  
U-Crest Fire House, Evergreen Street and Clover Place;  
Pine Hill Fire House, Genesee Street and Normandy Avenue;  
Rescue Fire House, Pine Ridge Road;  
Doyle Fire House No. 1, William and Alaska Street;

Hereto is a copy of notice published in the Cheektowaga Times, the official paper of the Town of Cheektowaga:

#### 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 7th day of May, 1951, at 2:30 o'clock P.M., E. D. S. 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 lateral sewer in said highway on Darwin Drive, commencing at the intersection of Cleveland Drive and Darwin Drive at the existing sewer, thence northerly along the center line of Darwin Drive to the Amherst Town Line, for the entire length of said street within said Township, 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 & 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 condition within thirty days following the award of the contract or the rejection of bid of such bidder, 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 Seven Hundred and Fifty Dollars (\$750.00) payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga, or a bond with sufficient sureties to be approved by the Supervisor in a penal sum of Seven Hundred and Fifty Dollars (\$750.00) 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 reserves 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.

KENNETH T. HANLEY.

Town Clerk.

Dated: April 16, 1951

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STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA } ss.

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks; first publication APR 19 1951; last publication APR 19 1951; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of APR 19 1951, 19.....

*Evel J. Allis*

Notary Public in and for Erie County, N. Y.

NOTARY PUBLIC  
ERIE COUNTY, N. Y.  
53

# Edward Rogers Rezoning Granted

Town Hall, in said Town of Cheektowaga on the 16th day of April, 1951, there were:

## PRESENT:

Benedict T. Holtz, Supervisor  
Henry Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Stanley Bystrak, Councilman

## ABSENT: 1

Joseph A. Neibert, Councilman  
Mr. Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the Zoning Board of Appeals held a public hearing at the Town Hall in the Town of Cheektowaga, New York, on the 7th day of March, 1951, at 7:30 o'clock P.M., E.S.T., of said day, for the purpose of considering the application of Edward Rogers for the rezoning from residence district to business district of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

WHEREAS, the Zoning Board of Appeals, on the 17th day of March, 1951, having rendered its decision granting the application of petitioners to rezone from residence district to business district the property hereinafter described, for the purpose of conducting a Delicatessen Store and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a regular meeting thereon on the 19th day of March, 1951, and the Town Board having made a thorough investigation of the proceedings had and taken before the Zoning Board of Appeals, and finding personally interested parties to be zoned, as well as the property in its immediate vicinity, Genesee Street and Roxborough Avenue.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone from residence district to business district the property hereinafter described, be and the same hereby be amended by changing the zoning map so as to change the following described property from that of "Residence District" to "Business District" subject to the following restrictions: (1) that said premises are used only for business purposes and not industrial and (2) that in the event said premises are no longer used as a Delicatessen Store this order of Rezoning shall be null and void and the property shall revert to Residential use only.

BE IT RESOLVED, by this Town Board that the Ordinance adopted December 21, 1942 and as amended, entitled "Zoning Ordinance" be and the same hereby be amended by changing the zoning map so as to change the following described property from that of "Residence District" to "Business District" subject to the following restrictions: (1) that said premises are used only for business purposes and not industrial and (2) that in the event said premises are no longer used as a Delicatessen Store this order of Rezoning shall be null and void and the property shall revert to Residential use only.

## DESCRIPTION

Sub-lots No. 103 and 104, Part of Genesee Estates, Southwest corner of Genesee Street and Roxborough Avenue, approximately 80 by 150 feet.

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

Benedict T. Holtz, voting Aye.  
Henry Nagel, voting Aye.  
Felix T. Wroblewski, voting Aye.  
Stanley Bystrak, voting Aye.

## CARRIED.

## ABSENT:

Joseph A. Neibert  
AYES: 4 NOES: 0 ABSENT: 1  
Dated: April 16, 1951.

KENNETH T. HANLEY,  
Town Clerk  
Town of Cheektowaga



Posted as follows on the 23rd day of April, 1951;

Telephone Pole No. 184, Genesee Street;  
Telephone Pole No. 18, Genesee Street;  
Post corner of Genesee Street and Roxborough Avenue;  
Telephone Pole No. 8, Roxborough Avenue;  
Telephone Pole No. 7, Roxborough Avenue;  
Telephone Pole No. 119, Genesee Street;

Hereto is a copy of notice published in the Cheektowaga Times,  
the official paper of the Town of Cheektowaga;

#### REZONING GRANTED

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 16th day of April, 1951, there were:

#### PRESENT:

Benedict T. Holtz, Supervisor  
Henry Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Stanley Bystrak, Councilman.

#### ABSENT: 1

Joseph A. Neibert, Councilman  
Mr. Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the Zoning Board of Appeals held a public hearing at the Town Hall in the Town of Cheektowaga, New York, on the 7th day of March, 1951, at 7:30 o'clock P.M., E.S.T., of said day, for the purpose of considering the application of Edward Rogers for the rezoning from residence district to business district of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

WHEREAS, the Zoning Board of Appeals, on the 17th day of March, 1951, having rendered its decision granting the application of petitioners to rezone from residence district to business district the property hereinafter described, for the purpose of conducting a Delicatessen Store and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a regular meeting thereon on the 19th day of March, 1951, and the Town Board having made a thorough investigation of the proceedings had and taken taken before the Zoning Board of Appeals, and having personally inspected the premises to be zoned, as well as the property in its immediate vicinity on Genesee Street and Roxborough Avenue.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone said premises from residence to business District, be and the same is hereby confirmed and approved.

#### 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 amended by changing the zoning map so as to change the following described property from that of "Residence District" to "Business District" subject to the following restrictions: (1) that said premises are used only for business purposes and not industrial and, (2) that in the event said premises are no longer used as a Delicatessen Store this order of Rezoning shall be null and void and the property shall revert to Residential use only.

#### DESCRIPTION

Sub-lots No. 103 and 104, Part of Genesee Estates, Southwest corner of Genesee Street and Roxborough Avenue, approximately 80 by 150 feet.

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

Benedict T. Holtz, voting Aye.  
Henry Nagel, voting Aye.  
Felix T. Wroblewski, voting Aye.  
Stanley Bystrak, voting Aye.  
Carried.

#### ABSENT:

Joseph A. Neibert  
AYES: 4 NOES: 0 ABSENT: 1  
Dated: April 16, 1951.

KENNETH T. HANLEY,

Town Clerk  
Town of Cheektowaga,  
(SEAL)

apr 19, 28

STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA } ss.

LARD C. ALLIS, of the Town of Cheektowaga,

in said County of Erie, being duly sworn,

deposes and says that he is the publisher of the

Cheektowaga Times, a public newspaper published

weekly in said Town; that the notice, of

which the annexed printed slip, taken from said

newspaper is a copy, was inserted and published

in said paper once a week for two weeks;

APR 19 1951

publication .....

APR 26 1951

publication .....

that no more than six days intervened between

the publications.

*Lard C. Allis*

Subscribed and sworn to before me this.....

APR 26 1951

at ..... 19.....

*Eve J. Allis*

Notary Public in and for Erie County, N. Y.

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1953  
Registered No. 5029

Erie County, New York, held at the Town Hall, in said Town of Cheektowaga on the 16th day of April, 1951, at 7:30 o'clock P.M., Eastern Standard Time, there were:

## PRESENT:

Benedict T. Holtz, Supervisor  
Henry J. Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Stanley Bystrak, Councilman

## ABSENT: 1

Joseph A. Neibert

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a regular meeting held on the 5th day of February, 1951, at 2:30 o'clock P.M., E.S.T., adopted a resolution directing that the Town Board meet at the Town Hall, corner of Broadway and Union Road, in said Town, on the 19th day of February, 1951, at 7:30 o'clock P.M., E.S.T., for the purpose of considering the advisability of enacting a Sick Leave Ordinance for the Town of Cheektowaga, New York; and

WHEREAS, notice of said public hearing and a proposed Sick Leave Ordinance were duly published in the Cheektowaga Times, the official newspaper of the Town of Cheektowaga, and being a newspaper having a general circulation in said Town, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, as is shown by the duly verified affidavit of publication now on file in the Town Clerk's Office; and

WHEREAS, the Town Clerk, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing posted conspicuously in six (6) public places within the Township, certified copies of said resolution, order, and proposed Sick Leave Ordinance, as shown by the duly verified affidavit of the Town Clerk; and

WHEREAS, pursuant to said resolution, the Town Board of the Town of Cheektowaga, New York, on the 19th day of February, 1951, at 7:30 P.M., Eastern Standard Time, did meet at the Town Hall in said Town of Cheektowaga for the purpose of considering the advisability of adopting said Sick Leave Ordinance; and a public hearing was held thereon at the time and place designated in said resolution adopted the 5th day of February, 1951, and an opportunity was afforded all persons interested in the subject matter to be heard; and at the conclusion of said public hearing, the Town Board reserved decision; and

WHEREAS, the Town Board has decided that it is in the public interest to adopt said Sick Leave Ordinance for the Town of Cheektowaga, New York,

BE IT RESOLVED, that the following Sick Leave Ordinance be and the same is hereby adopted:

## SICK LEAVE ORDINANCE

## Absence on Account of Sickness of Employee

Each employee who is unable to discharge the duties of his position on account of sickness, shall be entitled to full pay during such absence from his employment for the number of working days and no more in each fiscal year set forth in the following schedule:

Year of Service	Number of Working Days
(a) Second year of service	7 days
(b) Third to Fifth year inclusive, each year	15 days
(c) Sixth to Tenth, inclusive, each year	15 days, plus the whole or any part as needed of unused days of allowable sick leave accumulated during each of five fiscal years immediately preceding.

(e) Sixteenth and Same as stated subsequent under (c) plus years. Each period not to exceed 6 months, at the discretion of the Town Board.

Where an employee is absent on account of his sickness for a period of two days at any time in any fiscal year, a certificate of attending physician or satisfactory proof of such illness shall be filed with the appointing authority in relation to such illness.

## Absence of Employee on Account of Injury Received in the Discharge of Duty

In the event any employee is unable to perform his work on account of injury received in the discharge of his duties, said employee may be allowed, at the discretion of the Town Board, the difference between the amount received as Workmen's Compensation and his regular salary or compensation.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY. In computing sick leave rights of an employee, service prior to the adoption of the Ordinances shall be included the same as if such service were rendered after these Ordinances are effective.

BE IT FURTHER RESOLVED that a copy of this resolution, certified by the Town Clerk, shall be entered in his minutes and published at least once in the Cheektowaga Times, a newspaper having general circulation within the Township, and being the official newspaper of said Township; and that a printed copy thereof be posted conspicuously in at least six (6) public places in the Town for at least ten (10) days before the same shall take effect and an affidavit of publication and posting thereof shall be filed with the Town Clerk. But such Ordinance shall take effect from the date of its service as against a person served personally with a copy thereof, certified by the Town Clerk, under the corporate seal of the Town, showing the date of its passage and entry into the minutes.

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

Supervisor Holtz, voting Aye.

Councilman Nagel, voting Aye.

Councilman Wroblewski voting Aye.

Councilman Neibert, voting Aye.

Councilman Bystrak, voting Aye.

AYES: 4 NOES: 0 ABSENT: 1

## STATE OF NEW YORK

## ERIE COUNTY

OFFICE OF THE CLERK SS:  
OF THE TOWN OF  
CHEEKTOWAGA

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 16th day of April, 1951, and that the same is a correct and true transcript of such original resolution and the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 16th day of April, 1951.

KENNETH T. HANLEY,  
Town Clerk  
Town of Cheektowaga,  
Erie County, New York.

(SEAL)

apr 19

Place;  
et;  
dy Avenue;

ktowaga Times,

STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA } ss.

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks:  
first publication ..... APR 19 1951 .....  
last publication ..... APR 19 1951 .....  
and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of ..... APR 19 1951 ..... 19.....

*Eve J. Allis*

Notary Public in and for Erie County, N. Y.

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1953  
Registered No. 5029

53

REPEALING A PORTION OF SECTION 23 OF THE ZONING ORDINANCE, and also  
SECTION 24, of the ZONING ORDINANCES.

Board of the Town of Cheektowaga,  
Erie County, New York, held at the  
Town Hall in said Town of Cheek-  
towaga on the 16th day of April,  
1951, at 7:30 o'clock P.M., Eastern  
Standard Time, there were:

PRESENT: T. Holtz, Supervisor  
Henry J. Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Stanley Bystrak, Councilman

ABSENT: One  
Joseph A. Neibert, Councilman  
Councilman Wroblewski presented  
the following resolution and moved  
its adoption:

WHEREAS, this Town Board at a  
regular meeting held at the Town  
Hall, of the Town of Cheektowaga,  
New York, on the 15th day of Janu-  
ary, 1951, at 7:30 o'clock P.M., East-  
ern Standard Time, adopted a reso-  
lution directing that the Town Board  
meet at the Town Hall, corner of  
Broadway and Union Road, on the  
5th day of February, 1951, at 2:30  
o'clock P.M., Eastern Standard Time,  
for the purpose of considering the  
advisability of repealing a portion  
of Section 23 of the Zoning Ordinance,  
under title "Administration,"  
and also Section 24 of the Zoning  
Ordinances, entitled "Certificate of  
Occupancy and Compliance;" and

WHEREAS, notice of said public  
hearing was duly published in the  
Cheektowaga Times, a newspaper  
having general circulation in said  
Town, and being the official news-  
paper of said Town, not less than  
ten (10) nor more than twenty (20)  
days prior to the date set for the  
hearing, as is shown by the duly  
verified affidavit of publication filed  
in the Town Clerk's Office; and

WHEREAS, the Town Clerk, not  
less than ten (10) nor more than  
twenty (20) days prior to the date  
set for the hearing, posted conspicu-  
ously in six (6) public places within  
the Township, certified copies of said  
resolution and order, as is shown by  
the duly verified affidavit of the  
Town Clerk; and

WHEREAS, said notice published  
and posted, as herein stated, con-  
tained the portion of Section 23 of  
the Zoning Ordinances under the  
title of "Administration," and all of  
Section 24 of the Zoning Ordinances,  
entitled, "Certificate of Occupancy  
and Compliance," as the same is  
hereinafter set forth; and

WHEREAS, a public hearing was  
held, pursuant to said resolution, at  
the Town Hall, corner of Broadway  
and Union Road, on the 5th day of  
February, 1951, at 2:30 o'clock P.M.,  
Eastern Standard Time, and an op-  
portunity was afforded at said public  
hearing for all persons interested in  
the subject thereof to be heard; and  
no one appeared in opposition there-  
to; and at the conclusion of said  
public hearing, the Town Board took  
the matter under advisement; and

WHEREAS, the Town Board has  
decided that it would be in the pub-  
lic interest to repeal the portion of  
Section 23 of the Zoning Ordinances  
and Section 24 of the Zoning Ord-  
inances in its entirety.

BE IT RESOLVED, that that por-  
tion of Section 23 of the Zoning Or-  
dinances under the title, "Admini-  
stration," which provides as follows:

"Any and all building permits is-  
sued by the Town Clerk under au-  
thority of these ordinances shall not  
become effective until after a copy  
thereof has been delivered to the  
office of the Zoning Board of Ap-  
peals. In the event there is objection  
to the granting of such permit, the  
Zoning Board of Appeals shall in-  
vestigate the complaint, and opera-  
tion under such permit, if one has  
been granted, shall be suspended

and  
BE IT FURTHER RESOLVED,  
that Section 24 of the Zoning Ordi-  
nances of the Town of Cheektowaga  
New York, under the title, "Certifi-  
cate of Occupancy and Compliance,"  
which provides as follows:

"No building hereafter structurally  
altered or erected, shall be used or  
changed in use, nor premises oc-  
cupied or used, until a certificate of  
occupancy and compliance shall have  
been issued to the effect that the  
buildings or premises complied with  
the provisions of these ordinances.  
A like certificate shall be issued to  
maintain, renew, change or extend  
a non-conforming use. Said certifi-  
cate of occupancy and compliance  
for the whole or part of the building  
or premises shall be applied for co-  
incident with the application for a  
building or use permit, and shall be  
issued within ten (10) days after the  
erection or structural alteration of  
such building or part shall have  
been completed in conformity with  
the provisions of this ordinance. No  
such certificate shall be issued by  
the Town Clerk until it has been  
approved by the Building and  
Plumbing Inspector. A record of said  
certificates shall be kept in the of-  
fice of the Town Clerk."

be and the same is hereby repealed;  
and

BE IT FURTHER RESOLVED,  
that a copy of this resolution, certi-  
fied by the Town Clerk, shall be  
entered in the minutes and pub-  
lished at least twice in the Cheek-  
towaga Times, a newspaper having  
a general circulation within the  
Township and being the official  
newspaper of said Township; and  
that the Town Clerk post conspicu-  
ously in six (6) public places within  
the Township for at least ten (10)  
days before the same shall take ef-  
fect, a printed copy thereof; and that  
affidavits of publication and posting  
be filed in the Town Clerk's Office;  
but such Ordinances shall take effect  
from the date of its service as  
against a person served personally  
with a copy thereof certified by the  
Town Clerk under the corporate seal  
of the Town and showing the date  
of its passage and entry into the  
minutes.

Seconded by Councilman Bystrak  
and duly put to a vote, which re-  
sulted as follows:

Benedict T. Holtz, voting Aye.  
Henry Nagel, voting Aye.  
Felix T. Wroblewski, voting Aye.  
Stanley Bystrak, voting Aye.

ABSENT: One

Joseph Neibert, Councilman

AYES: 4 NOES: 0 ABSENT: 1

STATE OF NEW YORK  
ERIE COUNTY  
OFFICE OF THE CLERK SS:  
OF THE TOWN OF  
CHEEKTOWAGA

This is to certify that I, KENNETH  
T. HANLEY, Clerk of the Town of  
Cheektowaga, in the said County of  
Erie, have compared the foregoing  
copy of resolution with the original  
resolution now on file at this office,  
and which was passed by the Town  
Board of the Town of Cheektowaga  
in said County of Erie on the 16th  
day of April, 1951, and that the  
same is a correct and true transcript  
of such original resolution and the  
whole thereof.

IN WITNESS WHEREOF, I have  
hereunto set my hand and affixed  
the seal of said Town this 16th day  
of April, 1951.

KENNETH T. HANLEY  
Clerk of the Town Board, Town of  
Cheektowaga, N. Y.  
(SEAL)

apr 18, 26

Posted as follows on the 23rd day of April, 1951;

Town Hall Bulletin Board;

U-Crest Fire House, Evergreen Street and Clover Place;

Doyle Fire House No. 1, William and Alaska Street;

Pine Hill Fire House, Genesee Street and Normandy Avenue;

Forks Fire House, Broadway at Union Road;

Rescue Fire House, Pine Ridge Road;

Hereto is a copy of notice published in the Cheektowaga Times, the official paper of the Town of Cheektowaga;

#### ORDINANCE ADOPTED Sick Leave Provisions

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 16th day of April, 1951, at 7:30 o'clock P.M., Eastern Standard Time, there were:

#### PRESENT:

Benedict T. Holtz, Supervisor  
Henry J. Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Stanley Bystrak, Councilman

#### ABSENT: 1

Joseph A. Neibert

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a regular meeting held on the 5th day of February, 1951, at 2:30 o'clock P.M., E.S.T., adopted a resolution directing that the Town Board meet at the Town Hall, corner of Broadway and Union Road, in said Town, on the 19th day of February, 1951, at 7:30 o'clock P.M., E.S.T., for the purpose of considering the advisability of enacting a Sick Leave Ordinance for the Town of Cheektowaga, New York; and

WHEREAS, notice of said public hearing and a proposed Sick Leave Ordinance were duly published in the Cheektowaga Times, the official newspaper of the Town of Cheektowaga, and being a newspaper having a general circulation in said Town, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, as is shown by the duly verified affidavit of publication now on file in the Town Clerk's Office; and

WHEREAS, the Town Clerk, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing posted conspicuously in six (6) public places within the Township, certified copies of said resolution, order, and proposed Sick Leave Ordinance, as shown by the duly verified affidavit of the Town Clerk; and

WHEREAS, pursuant to said resolution, the Town Board of the Town of Cheektowaga, New York, on the 19th day of February, 1951, at 7:30 P.M., Eastern Standard Time, did meet at the Town Hall in said Town of Cheektowaga, for the purpose of considering the advisability of adopting said Sick Leave Ordinance; and a public hearing was held thereon at the time and place designated in said resolution adopted the 5th day of February, 1951, and an opportunity was afforded all persons interested in the subject matter to be heard; and at the conclusion of said public hearing, the Town Board reserved decision; and

WHEREAS, the Town Board has decided that it is in the public interest to adopt said Sick Leave Ordinance for the Town of Cheektowaga, New York,

BE IT RESOLVED, that the following Sick Leave Ordinance be and the same is hereby adopted:

#### SICK LEAVE ORDINANCE

##### Absence on Account of Sickness of Employee

Each employee who is unable to discharge the duties of his position on account of sickness, shall be entitled to full pay during such absence from his employment for the number of working days and no more in each fiscal year set forth in the following schedule:

Year of Service	Number of Working Days
(a) Second year of service	7 days
(b) Third to Fifth inclusive, each year	15 days
(c) Sixth to Tenth, inclusive, each year	15 days, plus the whole or any part as needed of unused days of allowable sick leave accumulated during each of five fiscal years immediately preceding.

- (d) Eleventh to Fifteenth, inclusive, each year Same as stated under (c) plus sixty working days at half pay.
- (e) Sixteenth and subsequent years, each year Same as stated under (c) plus years, each period not to exceed 6 months, at the discretion of the Town Board.

Where an employee is absent on account of his sickness for a period of two days at any time in any fiscal year, a certificate of attending physician or satisfactory proof of such illness shall be filed with the appointing authority in relation to such illness.

##### Absence of Employee on Account of Injury Received in the Discharge of Duty

In the event any employee is unable to perform his work on account of injury received in the discharge of his duties, said employee may be allowed, at the discretion of the Town Board, the difference between the amount received as Workmen's Compensation and his regular salary or compensation.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY. In computing sick leave rights of an employee, service prior to the adoption of the Ordinances shall be included the same as if such service were rendered after these Ordinances are effective.

BE IT FURTHER RESOLVED that a copy of this resolution, certified by the Town Clerk, shall be entered in his minutes and published at least once in the Cheektowaga Times, a newspaper having general circulation within the Township, and being the official newspaper of said Township; and that a printed copy thereof be posted conspicuously in at least six (6) public places in the Town for at least ten (10) days before the same shall take effect and an affidavit of publication and posting thereof shall be filed with the Town Clerk. But such Ordinance shall take effect from the date of its service as against a person served personally with a copy thereof, certified by the Town Clerk, under the corporate seal of the Town, showing the date of its passage and entry into the minutes.

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

Supervisor Holtz, voting Aye.  
Councilman Nagel, voting Aye.  
Councilman Wroblewski voting Aye.

Councilman Neibert, voting Aye.  
Councilman Bystrak, voting Aye

AYES: 4 NOES: 0 ABSENT: 1

#### STATE OF NEW YORK ERIE COUNTY OFFICE OF THE CLERK SS: OF THE TOWN OF CHEEKTOWAGA

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 16th day of April, 1951, and that the same is a correct and true transcript of such original resolution and the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 16th day of April, 1951.

KENNETH T. HANLEY,  
Town Clerk  
Town of Cheektowaga,  
Erie County, New York.

(SEAL)

apr 19

GA } ss.

Town of Cheektowaga,

being duly sworn,

the publisher of the

newspaper pub-

that the notice, of

ip, taken from said

orted and published

for one weeks:

1951

1951

days intervened be-

C. Allis

19

Allis

Erie County, N. Y.

NEW YORK

1951

53

REPEALING A PORTION OF SECTION 23 OF THE ZONING ORDINANCE, and also SECTION 24, of the ZONING ORDINANCES.

Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in said Town of Cheektowaga on the 16th day of April, 1951, at 7:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Benedict T. Holtz, Supervisor  
Henry J. Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Stanley Bystrak, Councilman

ABSENT: One  
Joseph A. Neibert, Councilman  
Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board at a regular meeting held at the Town Hall, of the Town of Cheektowaga, New York, on the 15th day of January, 1951, at 7:30 o'clock P.M., Eastern Standard Time, adopted a resolution directing that the Town Board meet at the Town Hall, corner of Broadway and Union Road, on the 5th day of February, 1951, at 2:30 o'clock P.M., Eastern Standard Time, for the purpose of considering the advisability of repealing a portion of Section 23 of the Zoning Ordinance, under title "Administration," and also Section 24 of the Zoning Ordinances, entitled "Certificate of Occupancy and Compliance;" and

WHEREAS, notice of said public hearing was duly published in the Cheektowaga Times, a newspaper having general circulation in said Town, and being the official newspaper of said Town, not less than ten (10) nor more than twenty (20) days prior to the date set for the hearing, as is shown by the duly verified affidavit of publication filed in the Town Clerk's Office; and

WHEREAS, the Town Clerk, not less than ten (10) nor more than twenty (20) days prior to the date set for the hearing, posted conspicuously in six (6) public places within the Township, certified copies of said resolution and order, as is shown by the duly verified affidavit of the Town Clerk; and

WHEREAS, said notice published and posted, as herein stated, contained the portion of Section 23 of the Zoning Ordinances under the title of "Administration," and all of Section 24 of the Zoning Ordinances, entitled, "Certificate of Occupancy and Compliance," as the same is hereinafter set forth; and

WHEREAS, a public hearing was held, pursuant to said resolution, at the Town Hall, corner of Broadway and Union Road, on the 5th day of February, 1951, at 2:30 o'clock P.M., Eastern Standard Time, and an opportunity was afforded at said public hearing for all persons interested in the subject thereof to be heard; and no one appeared in opposition thereto; and at the conclusion of said public hearing, the Town Board took the matter under advisement; and

WHEREAS, the Town Board has decided that it would be in the public interest to repeal the portion of Section 23 of the Zoning Ordinances and Section 24 of the Zoning Ordinances, in its entirety.

BE IT RESOLVED, that that portion of Section 23 of the Zoning Ordinances under the title, "Administration," which provides as follows:

"Any and all building permits issued by the Town Clerk under authority of these ordinances shall not become effective until after a copy thereof has been delivered to the office of the Zoning Board of Appeals. In the event there is objection to the granting of such permit, the Zoning Board of Appeals shall investigate the complaint, and operation under such permit, if one has been granted, shall be suspended

and  
BE IT FURTHER RESOLVED, that Section 24 of the Zoning Ordinances of the Town of Cheektowaga, New York, under the title, "Certificate of Occupancy and Compliance," which provides as follows:

"No building hereafter structurally altered or erected, shall be used or changed in use, nor premises occupied or used, until a certificate of occupancy and compliance shall have been issued to the effect that the buildings or premises complied with the provisions of these ordinances. A like certificate shall be issued to maintain, renew, change or extend a non-conforming use. Said certificate of occupancy and compliance for the whole or part of the building or premises shall be applied for coincident with the application for a building or use permit, and shall be issued within ten (10) days after the erection or structural alteration of such building or part shall have been completed in conformity with the provisions of this ordinance. No such certificate shall be issued by the Town Clerk until it has been approved by the Building and Plumbing Inspector. A record of said certificates shall be kept in the office of the Town Clerk."

be and the same is hereby repealed; and

BE IT FURTHER RESOLVED, that a copy of this resolution, certified by the Town Clerk, shall be entered in the minutes and published at least twice in the Cheektowaga Times, a newspaper having a general circulation within the Township and being the official newspaper of said Township; and that the Town Clerk post conspicuously in six (6) public places within the Township for at least ten (10) days before the same shall take effect, a printed copy thereof; and that affidavits of publication and posting be filed in the Town Clerk's Office; but such Ordinances shall take effect from the date of its service as against a person served personally with a copy thereof certified by the Town Clerk under the corporate seal of the Town and showing the date of its passage and entry into the minutes.

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

Benedict T. Holtz, voting Aye.  
Henry Nagel, voting Aye.  
Felix T. Wroblewski, voting Aye.  
Stanley Bystrak, voting Aye.

ABSENT: One  
Joseph Neibert, Councilman  
AYES: 4 NOES: 0 ABSENT: 1

STATE OF NEW YORK  
ERIE COUNTY  
OFFICE OF THE CLERK SS:  
OF THE TOWN OF  
CHEEKTOWAGA

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie on the 16th day of April, 1951, and that the same is a correct and true transcript of such original resolution and the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 16th day of April, 1951.

KENNETH T. HANLEY  
Clerk of the Town Board, Town of Cheektowaga, N. Y.  
(SEAL)

apr 17, 51

1, 1951;

ad;

and Normandy Avenue;  
Alaska Street;  
and Clover Place;

in the Cheektowaga Times,

STATE OF NEW YORK }  
COUNTY OF ERIE } ss.  
TOWN OF CHEEKTOWAGA }

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for *two* weeks;  
first publication ..... APR 19 1951 .....  
last publication ..... APR 26 1951 .....;  
and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of ..... APR 26 1951 ..... 19.....

*Eve J. Allis*

Notary Public in and for Erie County, N. Y.

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1953  
Registered No. 5029



Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in said Town of Cheektowaga on the 16th day of April, 1951, at 7:30 o'clock P.M., Eastern Standard Time, there were:

## PRESENT:

Benedict T. Holtz, Supervisor  
Henry J. Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Stanley Bystrak, Councilman

## ABSENT: One

Joseph A. Neibert, Councilman

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a regular meeting held at the Town Hall, in the Town of Cheektowaga, New York, on the 5th day of February, 1951, at 2:30 P.M., Eastern Standard Time, adopted a resolution directing that the Town Board meet at the Town Hall, corner of Union Road and Broadway, Cheektowaga, New York, on the 19th day of February, 1951, at 7:30 o'clock P.M., Eastern Standard Time, for the purpose of considering the advisability of amending the Plumbing and Drainage Ordinances of the Town of Cheektowaga, New York, by adding to Section 10 a new Subdivision, to be known as Subdivision 2, to provide as follows:

"(a) No contractor, plumber, or any other person, firm, or corporation, shall connect any drain or sewer from a cellar, basement, or excavation to the sanitary sewer until either the floor or roof has been constructed on a building, completely covering said cellar, basement, or excavation; nor shall any contractor, plumber, or any other person, firm, or corporation cause any connection to be made on any premises, whether improved or not, so as to cause storm sewers to run into the sanitary sewer system.

"(b) The Town Board may, in its discretion, authorize a sewer to be connected from an open cellar, basement, or excavation, providing said sewer is completely sealed, so that no storm water shall enter the sanitary sewer during the construction of the building until said cellar, basement, or excavation is completely covered; and upon the further condition that the owner of said premises, or the plumbing contractor execute and deliver to the Town of Cheektowaga, New York, a surety bond in the sum of Two Thousand and No/100 Dollars (\$2,000.00), which bond shall contain a provision that in the event the sewer is unsealed before the floor or roof is constructed on said building, the owner or plumbing contractor will pay to the Town of Cheektowaga, New York, the sum of One Hundred and No/100 Dollars (\$100.00) for each week said sewer is unsealed. [The responsibility of the said owner or plumbing contractor and his surety shall continue until said open cellar, basement, or excavation has either been filled in or completely covered.

"(c) In addition to the penalties otherwise prescribed in these Ordinances, any contractor, plumber, or any other person, firm, or corporation, who shall connect an open cellar, basement, or excavation to a sanitary sewer system, shall suffer

the penalties otherwise prescribed in these Ordinances, any contractor, plumber, or any other person, firm, or corporation, and

WHEREAS, notice of said public hearing was duly published in the Cheektowaga Times, official newspaper of the Town of Cheektowaga, New York, and having a general circulation in said Town, not less than ten (10) nor more than twenty (20) days prior to the date of hearing, as is shown by the duly verified affidavit of publication now on file in the Town Clerk's Office; and

WHEREAS, the Town Clerk, not less than ten (10) nor more than twenty (20) days prior to the date set for the hearing, posted conspicuously in six (6) public places within the Township, certified copies of said resolution and order, as is shown by the duly verified affidavit now on file in the Town Clerk's office; and

WHEREAS, pursuant to said resolution, the Town Board of the Town of Cheektowaga, on the 19th day of February, 1951, at 7:30 o'clock P.M., Eastern Standard Time, did meet at the Town Hall, corner of Broadway and Union Road in the said Town of Cheektowaga, for the purpose of considering the advisability of adopting the above-mentioned Amendments, and a public hearing was held at the Town Hall at the time and place designated in said resolution adopted February 5, 1951, and an opportunity was afforded all persons interested in the subject matter to be heard; and at the conclusion of said public hearing, decision was reserved; and the Town Board having decided that it is in the public interest that the Plumbing and Drainage Ordinances of the Town of Cheektowaga, New York, be amended as hereinabove and hereinafter provided,

BE IT RESOLVED, that the Plumbing and Drainage Ordinance of the Town of Cheektowaga, New York, be amended by adding to Section 10 a new subdivision, to be known as Subdivision 2, to provide as follows:

"(a) No contractor, plumber, or any other person, firm, or corporation shall connect any drain or sewer from a cellar, basement, or excavation to the sanitary sewer until either the floor or roof has been constructed on a building, completely covering said cellar, basement, or excavation; nor shall any contractor, plumber, or any other person, firm or corporation cause any connection to be made on any premises, whether improved or not, so as to cause storm waters to run into the sanitary sewer system.

"(b) The Town Board may, in its discretion, authorize a sewer to be connected from an open cellar, basement, or excavation, providing said sewer is completely sealed, so that no storm water shall enter the sanitary sewer during the construction of the building until said cellar, basement, or excavation is completely covered; and upon the further condition that the owner of said premises, or the plumbing contractor execute and deliver to the Town of Cheektowaga, New York, a surety bond in the sum of Two Thousand and No/100 Dollars (\$2,000.00), which bond shall contain a provision that in the event the sewer is un-

sealed before the floor or roof is constructed on a building, the owner or plumbing contractor shall pay to the Town of Cheektowaga, New York, the sum of One Hundred and No/100 Dollars (\$100.00) for each week said sewer is unsealed. The responsibility of the said owner or plumbing contractor and his surety shall continue until said open cellar, basement, or excavation has either been filled in or completely covered.

"(c) In addition to the penalties otherwise prescribed in these Ordinances, any contractor, plumber, or any other person, firm, or corporation, who shall connect an open cellar, basement, or excavation to a sanitary sewer so that storm waters may enter the sanitary sewer system, shall suffer the automatic cancellation of any license or permit issued to such said contractor, plumber, or any other person, firm, or corporation."

BE IT FURTHER RESOLVED, that a copy of this resolution, certified by the Town Clerk shall be entered in the minutes and published at least twice in the Cheektowaga Times, a newspaper having general circulation within the Township, and being the official newspaper of said Township, and that a printed copy thereof be posted conspicuously by the Town Clerk in at least six (6) public places in the Town for at least ten (10) days before the same shall take effect, and an affidavit of the publication and posting thereof shall be filed with the Town Clerk. But such Ordinance shall take effect from the date of its service as against a person served personally with a copy thereof, certified by the Town Clerk under the corporate seal of the Town, and showing the date of its passage and entry in the minutes.

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

Benedict T. Holtz, voting Aye.

Henry Nagel, voting Aye.

Felix T. Wroblewski, voting Aye.

Stanley Bystrak, voting Aye.

## ABSENT: One

Joseph A. Neibert, Councilman

AYES: 4 NOES: 0 ABSENT: 1

STATE OF NEW YORK  
ERIE COUNTY  
OFFICE OF THE CLERK SS.  
OF THE TOWN OF  
CHEEKTOWAGA

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 16th day of April, 1951, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 16th day of April, 1951.

KENNETH T. HANLEY,  
Clerk of the Town Board,  
Town of Cheektowaga, N. Y.  
(SEAL) Apr 19, 28

Posted as follows on the 23rd day of April, 1951;

Town Hall Bulletin Board;  
Forks Fire House, Broadway at Union Road;  
Rescue Fire House, Pine Ridge Road;  
Pine Hill Fire House, Genesee Street and Normandy Avenue;  
Doyle Fire House No. 1, William and Alaska Street;  
U-Crest Fire House, Evergreen Street and Clover Place;

Hereto is a copy of notice published in the Cheektowaga Times, the official paper of the Town of Cheektowaga;

**ORDINANCE AMENDED**  
**Certain Sections Repealed**

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 16th day of April, 1951, at 7:30 o'clock P.M., Eastern Standard Time, there were:

**PRESENT:**

Benedict, T. Holtz, Supervisor  
Henry J. Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Stanley Bystrak, Councilman

**ABSENT: One**

Joseph A. Neibert, Councilman

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board at a regular meeting held at the Town Hall, of the Town of Cheektowaga, New York, on the 15th day of January, 1951, at 7:30 o'clock P.M., Eastern Standard Time, adopted a resolution directing that the Town Board meet at the Town Hall, corner of Broadway and Union Road, on the 5th day of February, 1951, at 2:30 o'clock P.M., Eastern Standard Time, for the purpose of considering the advisability of repealing a portion of Section 23 of the Zoning Ordinance, under title "Administration," and also Section 24 of the Zoning Ordinances, entitled "Certificate of Occupancy and Compliance," and

WHEREAS, notice of said public hearing was duly published in the Cheektowaga Times, a newspaper having general circulation in said Town, and being the official newspaper of said Town, not less than ten (10) nor more than twenty (20) days prior to the date set for the hearing, as is shown by the duly verified affidavit of publication filed in the Town Clerk's Office; and

WHEREAS, the Town Clerk, not less than ten (10) nor more than twenty (20) days prior to the date set for the hearing, posted conspicuously in six (6) public places within the Township, certified copies of said resolution and order, as is shown by the duly verified affidavit of the Town Clerk; and

WHEREAS, said notice published and posted, as herein stated, contained the portion of Section 23 of the Zoning Ordinances under the title of "Administration," and all of Section 24 of the Zoning Ordinances, entitled, "Certificate of Occupancy and Compliance," as the same is hereinafter set forth; and

WHEREAS, a public hearing was held, pursuant to said resolution, at the Town Hall, corner of Broadway and Union Road, on the 5th day of February, 1951, at 2:30 o'clock P.M., Eastern Standard Time, and an opportunity was afforded at said public hearing for all persons interested in the subject thereof to be heard; and no one appeared in opposition thereto; and at the conclusion of said public hearing, the Town Board took the matter under advisement; and

WHEREAS, the Town Board has decided that it would be in the public interest to repeal the portion of Section 23 of the Zoning Ordinances and Section 24 of the Zoning Ordinances in its entirety.

BE IT RESOLVED, that that portion of Section 23 of the Zoning Ordinances under the title, "Administration," which provides as follows:

"Any and all building permits issued by the Town Clerk under authority of these ordinances shall not become effective until after a copy thereof has been delivered to the office of the Zoning Board of Appeals. In the event there is objection to the granting of such permit, the Zoning Board of Appeals shall investigate the complaint, and operation under such permit, if one has been granted, shall be suspended

until a decision has been rendered by the Zoning Board of Appeals." be and the same is hereby repealed; and

BE IT FURTHER RESOLVED, that Section 24 of the Zoning Ordinances of the Town of Cheektowaga, New York, under the title, "Certificate of Occupancy and Compliance," which provides as follows:

"No building hereafter structurally altered or erected, shall be used or changed in use, nor premises occupied or used, until a certificate of occupancy and compliance shall have been issued to the effect that the buildings or premises complied with the provisions of these ordinances. A like certificate shall be issued to maintain, renew, change or extend a non-conforming use. Said certificate of occupancy and compliance for the whole or part of the building or premises shall be applied for coincident with the application for a building or use permit, and shall be issued within ten (10) days after the erection or structural alteration of such building or part shall have been completed in conformity with the provisions of this ordinance. No such certificate shall be issued by the Town Clerk until it has been approved by the Building and Plumbing Inspector. A record of said certificates shall be kept in the office of the Town Clerk." be and the same is hereby repealed; and

BE IT FURTHER RESOLVED, that a copy of this resolution, certified by the Town Clerk, shall be entered in the minutes and published at least twice in the Cheektowaga Times, a newspaper having a general circulation within the Township and being the official newspaper of said Township; and that the Town Clerk post conspicuously in six (6) public places within the Township for at least ten (10) days before the same shall take effect, a printed copy thereof; and that affidavits of publication and posting be filed in the Town Clerk's Office; but such Ordinances shall take effect from the date of its service as against a person served personally with a copy thereof certified by the Town Clerk under the corporate seal of the Town and showing the date of its passage and entry into the minutes.

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

Benedict T. Holtz, voting Aye.

Henry Nagel, voting Aye.

Felix T. Wroblewski, voting Aye.

Stanley Bystrak, voting Aye.

ABSENT: One

Joseph Neibert, Councilman

AYES: 4 NOES: 0 ABSENT: 1

STATE OF NEW YORK  
ERIE COUNTY  
OFFICE OF THE CLERK SS:  
OF THE TOWN OF  
CHEEKTOWAGA

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie on the 16th day of April, 1951, and that the same is a correct and true transcript of such original resolution and the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 16th day of April, 1951.

KENNETH T. HANLEY  
Clerk of the Town Board, Town of Cheektowaga, N. Y.  
(SEAL)

apr 19, 26

ss.

Town of Cheektowaga

being duly sworn,

publisher of the

newspaper pub-

at the notice, of

taken from said

and published

two weeks:

1951

1951

intervened be-

P. Celis

19.....

County, N. Y.

YORK

ORDINANCE AMENDED - PLUMBING AND DRAINAGE - SECTION 10 - SUB-DIVISION 2.

Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in said Town of Cheektowaga on the 16th day of April, 1951, at 7:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT:

Benedict T. Holtz, Supervisor  
Henry J. Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Stanley Bystrak, Councilman

ABSENT: One

Joseph A. Neibert, Councilman  
Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a regular meeting held at the Town Hall, in the Town of Cheektowaga, New York, on the 5th day of February, 1951, at 2:30 P.M., Eastern Standard Time, adopted a resolution directing that the Town Board meet at the Town Hall, corner of Union Road and Broadway, Cheektowaga, New York, on the 19th day of February, 1951, at 7:30 o'clock P.M., Eastern Standard Time, for the purpose of considering the advisability of amending the Plumbing and Drainage Ordinances of the Town of Cheektowaga, New York, by adding to Section 10 a new Subdivision, to be known as Subdivision 2, to provide as follows:

"(a) No contractor, plumber, or any other person, firm, or corporation, shall connect any drain or sewer from a cellar, basement, or excavation to the sanitary sewer until either the floor or roof has been constructed on a building, completely covering said cellar, basement, or excavation; nor shall any contractor, plumber, or any other person, firm, or corporation cause any connection to be made on any premises, whether improved or not, so as to cause storm sewers to run into the sanitary sewer system.

"(b) The Town Board may, in its discretion, authorize a sewer to be connected from an open cellar, basement, or excavation, providing said sewer is completely sealed, so that no storm water shall enter the sanitary sewer during the construction of the building until said cellar, basement, or excavation is completely covered; and upon the further condition that the owner of said premises, or the plumbing contractor execute and deliver to the Town of Cheektowaga, New York, a surety bond in the sum of Two Thousand and No/100 Dollars (\$2,000.00), which bond shall contain a provision that in the event the sewer is unsealed before the floor or roof is constructed on said building, the owner or plumbing contractor will pay to the Town of Cheektowaga, New York, the sum of One Hundred and No/100 Dollars (\$100.00) for each week said sewer is unsealed. [The responsibility of the said owner or plumbing contractor and his surety shall continue until said open cellar, basement, or excavation has either been filled in or completely covered.

"(c) In addition to the penalties otherwise prescribed in these Ordinances, any contractor, plumber, or any other person, firm, or corporation, who shall connect an open cellar, basement, or excavation to a sanitary sewer system, shall suffer

person, firm, or corporation, and

WHEREAS, notice of said public hearing was duly published in the Cheektowaga Times, official newspaper of the Town of Cheektowaga, New York, and having a general circulation in said Town, not less than ten (10) nor more than twenty (20) days prior to the date of hearing, as is shown by the duly verified affidavit of publication now on file in the Town Clerk's Office; and

WHEREAS, the Town Clerk, not less than ten (10) nor more than twenty (20) days prior to the date set for the hearing, posted conspicuously in six (6) public places within the Township, certified copies of said resolution and order, as is shown by the duly verified affidavit now on file in the Town Clerk's office; and

WHEREAS, pursuant to said resolution, the Town Board of the Town of Cheektowaga, on the 19th day of February, 1951, at 7:30 o'clock P.M., Eastern Standard Time, did meet at the Town Hall, corner of Broadway and Union Road in the said Town of Cheektowaga, for the purpose of considering the advisability of adopting the above-mentioned Amendments, and a public hearing was held at the Town Hall at the time and place designated in said resolution adopted February 5, 1951, and an opportunity was afforded all persons interested in the subject matter to be heard; and at the conclusion of said public hearing, decision was reserved; and the Town Board having decided that it is in the public interest that the Plumbing and Drainage Ordinances of the Town of Cheektowaga, New York, be amended as hereinabove and hereinafter provided,

BE IT RESOLVED, that the Plumbing and Drainage Ordinance of the Town of Cheektowaga, New York, be amended by adding to Section 10 a new subdivision, to be known as Subdivision 2, to provide as follows:

"(a) No contractor, plumber, or any other person, firm, or corporation shall connect any drain or sewer from a cellar, basement, or excavation to the sanitary sewer until either the floor or roof has been constructed on a building, completely covering said cellar, basement, or excavation; nor shall any contractor, plumber, or any other person, firm or corporation cause any connection to be made on any premises, whether improved or not, so as to cause storm waters to run into the sanitary sewer system.

"(b) The Town Board may, in its discretion, authorize a sewer to be connected from an open cellar, basement, or excavation, providing said sewer is completely sealed, so that no storm water shall enter the sanitary sewer during the construction of the building until said cellar, basement, or excavation is completely covered; and upon the further condition that the owner of said premises, or the plumbing contractor execute and deliver to the Town of Cheektowaga, New York, a surety bond in the sum of Two Thousand and No/100 Dollars (\$2,000.00), which bond shall contain a provision that in the event the sewer is un-

pay to the Town of Cheektowaga, New York, the sum of One Hundred and No/100 Dollars (\$100.00) for each week said sewer is unsealed. The responsibility of the said owner or plumbing contractor and his surety shall continue until said open cellar, basement, or excavation has either been filled in or completely covered.

"(c) In addition to the penalties otherwise prescribed in these Ordinances, any contractor, plumber, or any other person, firm, or corporation, who shall connect an open cellar, basement, or excavation to a sanitary sewer so that storm waters may enter the sanitary sewer system, shall suffer the automatic cancellation of any license or permit issued to such said contractor, plumber, or any other person, firm, or corporation."

BE IT FURTHER RESOLVED, that a copy of this resolution, certified by the Town Clerk shall be entered in the minutes and published at least twice in the Cheektowaga Times, a newspaper having general circulation within the Township, and being the official newspaper of said Township, and that a printed copy thereof be posted conspicuously by the Town Clerk in at least six (6) public places in the Town for at least ten (10) days before the same shall take effect, and an affidavit of the publication and posting thereof shall be filed with the Town Clerk. But such Ordinance shall take effect from the date of its service as against a person served personally with a copy thereof, certified by the Town Clerk under the corporate seal of the Town, and showing the date of its passage and entry in the minutes.

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

Benedict T. Holtz, voting Aye.  
Henry Nagel, voting Aye.  
Felix T. Wroblewski, voting Aye.  
Stanley Bystrak, voting Aye.

ABSENT: One

Joseph A. Neibert, Councilman  
AYES: 4 NOES: 0 ABSENT: 1

STATE OF NEW YORK  
ERIE COUNTY  
OFFICE OF THE CLERK SS.  
OF THE TOWN OF  
CHEEKTOWAGA

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga, in said County of Erie, on the 16th day of April, 1951, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 16th day of April, 1951.

KENNETH T. HANLEY,  
Clerk of the Town Board,  
Town of Cheektowaga, N. Y.  
(SEAL) Apr 19, 26

April, 1951;

Street and Clover Place;  
Street and Normandy Avenue;  
d;  
on Road;  
and Alaska Street;

in the Cheektowaga Times,  
towaga;

STATE OF NEW YORK }  
COUNTY OF ERIE } ss.  
TOWN OF CHEEKTOWAGA }

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for <sup>two</sup> weeks:  
first publication ..... APR 19 1951 .....  
last publication ..... APR 26 1951 .....;  
and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....  
APR 26 1951  
day of ....., 19.....

*Eve J. Allis*

Notary Public in and for Erie County, N. Y.

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1953  
Registered No. 5029

10

55

NOTICE OF HEARING- STREET LIGHTS - KENVIEW BOULEVARD from CLEVELAND DRIVE to BURKE DRIVE;

NOTICE OF HEARING  
Street Lighting Petition

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 16th day of April, 1951, at 7:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT:

Benedict T. Holtz, Supervisor  
Henry Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Stanley Bystrak, Councilman

ABSENT: 1

Joseph A. Neibert, Councilman

Mr. Bystrak 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 2nd day of April, 1951,

PUBLIC HIGHWAYS  
TO BE IMPROVED

Kenview Blvd. FROM Cleveland Drive TO Burke Drive.

TYPE OF STREET LIGHTING  
INSTALLATION

Y-20 Standards (Overhanging bracket) Underground conduit.

WHEREAS, Edward B. Jerzewski and Andrew H. Schwenk, 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 7th day of May, 1951, at 2:30 P.M., Eastern Daylight Saving 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 Cheektowaga Times, 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 Wroblewski and duly put to a vote which

resulted as follows:

Benedict T. Holtz, voting Aye.  
Henry Nagel, voting Aye.  
Stanley Bystrak, voting Aye.  
Felix T. Wroblewski, voting Aye.

ABSENT: 1

Joseph Neibert

AYES: 4 NOES: 0 ABSENT: 1

STATE OF NEW YORK

COUNTY OF ERIE SS  
TOWN OF CHEEKTOWAGA

Edward B. Jerzewski and Andrew H. Schwenk, of the Town of Cheektowaga, County of Erie and State of New York, being duly sworn, depose and say.

That we are the Assessors of said Town of Cheektowaga:

That we have examined a petition filed in the office of the Town Clerk of said Town of Cheektowaga on the 16th day of April, 1951, for the improvement of both sides of the public highways situated in the 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

Kenview Blvd. FROM Cleveland Drive TO Burke Drive.

TYPE OF STREET LIGHTING  
INSTALLATION

Y-20 Standards (Overhanging bracket) Underground Conduit.

That said petition has been 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 on both sides of each of said highways to be improved as aforesaid.

EDWARD B. JERZEWSKI

Assessor of the Town of Cheektowaga, Erie County, New York.

ANDREW H. SCHWENK

Assessor of the Town of Cheektowaga, Erie County, New York.

Subscribed and sworn to before me this 3rd day of April, 1951.

KENNETH T. HANLEY

Notary Public, Erie County, New York.

STATE OF NEW YORK SS.  
COUNTY OF ERIE

I, Kenneth T. Hanley, 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 16th day of April, 1951, 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 16th day of April, 1951.

KENNETH T. HANLEY,  
Town Clerk.

apr 18

(SEAL)

Posted as follows on the 23rd day of April, 1951;

Town Hall Bulletin Board;  
U-Crest Fire House, Evergreen Street and Clover Place;  
Pine Hill Fire House, Genesee Street and Normandy Avenue;  
Rescue Fire House, Pine Ridge Road;  
Forks Fire House, Broadway at Union Road;  
Doyle Fire House No. 1, William and Alaska Street;

Hereto is a copy of notice published in the Cheektowaga Times,  
the official paper of the Town of Cheektowaga;

#### ORDINANCE AMENDED Plumbing and Drainage

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 16th day of April, 1951, at 7:30 o'clock P.M., Eastern Standard Time, there were:

#### PRESENT:

Benedict T. Holtz, Supervisor  
Henry J. Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Stanley Bystrak, Councilman

#### ABSENT: One

Joseph A. Neibert, Councilman  
Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a regular meeting held at the Town Hall, in the Town of Cheektowaga, New York, on the 5th day of February, 1951, at 2:30 P.M., Eastern Standard Time, adopted a resolution directing that the Town Board meet at the Town Hall, corner of Union Road and Broadway, Cheektowaga, New York, on the 19th day of February, 1951, at 7:30 o'clock P.M., Eastern Standard Time, for the purpose of considering the advisability of amending the Plumbing and Drainage Ordinances of the Town of Cheektowaga, New York, by adding to Section 10 a new Subdivision, to be known as Subdivision 2, to provide as follows:

"(a) No contractor, plumber, or any other person, firm, or corporation, shall connect any drain or sewer from a cellar, basement, or excavation to the sanitary sewer until either the floor or roof has been constructed on a building, completely covering said cellar, basement, or excavation; nor shall any contractor, plumber, or any other person, firm, or corporation cause any connection to be made on any premises, whether improved or not, so as to cause storm sewers to run into the sanitary sewer system.

"(b) The Town Board may, in its discretion, authorize a sewer to be connected from an open cellar, basement, or excavation, providing said sewer is completely sealed, so that no storm water shall enter the sanitary sewer during the construction of the building until said cellar, basement, or excavation is completely covered; and upon the further condition that the owner of said premises, or the plumbing contractor execute and deliver to the Town of Cheektowaga, New York, a surety bond in the sum of Two Thousand and No/100 Dollars (\$2,000.00), which bond shall contain a provision that in the event the sewer is unsealed before the floor or roof is constructed on said building, the owner or plumbing contractor will pay to the Town of Cheektowaga, New York, the sum of One Hundred and No/100 Dollars (\$100.00) for each week said sewer is unsealed. The responsibility of the said owner or plumbing contractor and his surety shall continue until said open cellar, basement, or excavation has either been filled in or completely covered.

"(c) In addition to the penalties otherwise prescribed in these Ordinances, any contractor, plumber, or any other person, firm, or corporation, who shall connect an open cellar, basement, or excavation to a sanitary sewer system, shall suffer

the automatic cancellation of any license or permit issued to such said contractor, plumber, or any other person, firm, or corporation."

and  
WHEREAS, notice of said public hearing was duly published in the Cheektowaga Times, official newspaper of the Town of Cheektowaga, New York, and having a general circulation in said Town, not less than ten (10) nor more than twenty (20) days prior to the date of hearing, as is shown by the duly verified affidavit of publication now on file in the Town Clerk's Office; and

WHEREAS, the Town Clerk, not less than ten (10) nor more than twenty (20) days prior to the date set for the hearing, posted conspicuously in six (6) public places within the Township, certified copies of said resolution and order, as is shown by the duly verified affidavit now on file in the Town Clerk's office; and

WHEREAS, pursuant to said resolution, the Town Board of the Town of Cheektowaga, on the 19th day of February, 1951, at 7:30 o'clock P.M., Eastern Standard Time, did meet at the Town Hall, corner of Broadway and Union Road in the said Town of Cheektowaga, for the purpose of considering the advisability of adopting the above-mentioned Amendments, and a public hearing was held at the Town Hall at the time and place designated in said resolution adopted February 5, 1951, and an opportunity was afforded all persons interested in the subject matter to be heard; and at the conclusion of said public hearing, decision was reserved; and the Town Board having decided that it is in the public interest that the Plumbing and Drainage Ordinances of the Town of Cheektowaga, New York, be amended as hereinabove and hereinafter provided,

BE IT RESOLVED, that the Plumbing and Drainage Ordinance of the Town of Cheektowaga, New York, be amended by adding to Section 10 a new subdivision, to be known as Subdivision 2, to provide as follows:

"(a) No contractor, plumber, or any other person, firm, or corporation shall connect any drain or sewer from a cellar, basement, or excavation to the sanitary sewer until either the floor or roof has been constructed on a building, completely covering said cellar, basement, or excavation; nor shall any contractor, plumber, or any other person, firm or corporation cause any connection to be made on any premises, whether improved or not, so as to cause storm waters to run into the sanitary sewer system.

"(b) The Town Board may, in its discretion, authorize a sewer to be connected from an open cellar, basement, or excavation, providing said sewer is completely sealed, so that no storm water shall enter the sanitary sewer during the construction of the building until said cellar, basement, or excavation is completely covered; and upon the further condition that the owner of said premises, or the plumbing contractor execute and deliver to the Town of Cheektowaga, New York, a surety bond in the sum of Two Thousand and No/100 Dollars (\$2,000.00), which bond shall contain a provision that in the event the sewer is un-

sealed before the floor or roof is constructed on said building, the owner or plumbing contractor will pay to the Town of Cheektowaga, New York, the sum of One Hundred and No/100 Dollars (\$100.00) for each week said sewer is unsealed. The responsibility of the said owner or plumbing contractor and his surety shall continue until said open cellar, basement, or excavation has either been filled in or completely covered.

"(c) In addition to the penalties otherwise prescribed in these Ordinances, any contractor, plumber, or any other person, firm, or corporation, who shall connect an open cellar, basement, or excavation to a sanitary sewer so that storm waters may enter the sanitary sewer system, shall suffer the automatic cancellation of any license or permit issued to such said contractor, plumber, or any other person, firm, or corporation."

and  
BE IT FURTHER RESOLVED, that a copy of this resolution, certified by the Town Clerk shall be entered in the minutes and published at least twice in the Cheektowaga Times, a newspaper having general circulation within the Township, and being the official newspaper of said Township, and that a printed copy thereof be posted conspicuously by the Town Clerk in at least six (6) public places in the Town for at least ten (10) days before the same shall take effect, and an affidavit of the publication and posting thereof shall be filed with the Town Clerk. But such Ordinance shall take effect from the date of its service as against a person served personally with a copy thereof, certified by the Town Clerk under the corporate seal of the Town, and showing the date of its passage and entry in the minutes.

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

Benedict T. Holtz, voting Aye.  
Henry Nagel, voting Aye.  
Felix T. Wroblewski, voting Aye.  
Stanley Bystrak, voting Aye.

#### ABSENT: One

Joseph A. Neibert, Councilman  
AYES: 4 NOES: 0 ABSENT: 1

#### STATE OF NEW YORK ERIE COUNTY OFFICE OF THE CLERK SS. OF THE TOWN OF CHEEKTOWAGA

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 16th day of April, 1951, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 16th day of April, 1951.

KENNETH T. HANLEY,  
Clerk of the Town Board,  
Town of Cheektowaga, N. Y.  
(SEAL) Apr 19, 26



951;

1111

Q.

1st Avenue;

Q.

Cleveland Drive;

Cheektowaga Times,

STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA } ss.

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for *one* weeks;  
first publication ..... APR 19 1951  
last publication ..... APR 19 1951  
and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of ..... APR 19 1951, 19.....

*Eve J. Allis*

Notary Public in and for Erie County, N. Y.

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1953  
Registered No. 5029



Councilman Nagel moved seconded by Councilman Wroblewski that all claims audited at this meeting be paid and that the Town Clerk be authorized and directed to draw orders on the Supervisor for payment of same.

CARRIED: AYES: -4-.

Orders No. 4264 to No. 4351 inclusive, drawn on the Supervisor.

Councilman Bystrak moved seconded by Councilman Nagel to adjourn.

CARRIED: AYES: -4-.

SEAL.

Kenneth T. Hanley

Town Clerk

*Kenneth T. Hanley*

Posted as follows on the 23rd day of April, 1951;

Tree in front of No. 238 Kenview Boulevard;  
Post corner of Kenview Boulevard and Kensington Avenue;  
Tree in front of No. 200 Kenview Boulevard;  
Tree in front of No. 177 Kenview Boulevard;  
Light Pole, corner Kenview Boulevard and Cleveland Drive;

Hereto is a copy of notice published in the Cheektowaga Times,  
the official paper of the Town of Cheektowaga;

#### NOTICE OF HEARING Street Lighting Petitions

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 16th day of April, 1951, at 7:30 o'clock P.M., Eastern Standard Time, there were:

#### PRESENT:

Benedict T. Holtz, Supervisor  
Henry Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Stanley Bystrak, Councilman

#### ABSENT: 1

Joseph A. Neibert, Councilman

Mr. Bystrak 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 2nd day of April, 1951.

#### PUBLIC HIGHWAYS TO BE IMPROVED

Kenview Blvd. FROM Cleveland Drive TO Burke Drive.

#### TYPE OF STREET LIGHTING INSTALLATION

Y-20 Standards (Overhanging bracket) Underground conduit.

WHEREAS, Edward B. Jerzewski and Andrew H. Schwenk, 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 7th day of May, 1951, at 2:30 P.M., Eastern Daylight Saving 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 Cheektowaga Times, 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 Wroblewski and duly put to a vote which

resulted as follows:

Benedict T. Holtz, voting Aye.  
Henry Nagel, voting Aye.  
Stanley Bystrak, voting Aye.  
Felix T. Wroblewski, voting Aye.

ABSENT: 1

Joseph Neibert

AYES: 4 NOES: 0 ABSENT: 1

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

Edward B. Jerzewski and Andrew H. Schwenk, of the Town of Cheektowaga, County of Erie and State of New York, being duly sworn, depose and say.

That we are the Assessors of said Town of Cheektowaga:

That we have examined a petition filed in the office of the Town Clerk of said Town of Cheektowaga on the 16th day of April, 1951, for the improvement of both sides of the public highways situated in the 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

Kenview Blvd. FROM Cleveland Drive TO Burke Drive.

#### TYPE OF STREET LIGHTING INSTALLATION

Y-20 Standards (Overhanging bracket) Underground Conduit.

That said petition has been 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 on both sides of each of said highways to be improved as aforesaid.

#### EDWARD B. JERZEWSKI

Assessor of the Town of Cheektowaga, Erie County, New York.

#### ANDREW H. SCHWENK

Assessor of the Town of Cheektowaga, Erie County, New York.

Subscribed and sworn to before me this 3rd day of April, 1951.

#### KENNETH T. HANLEY

Notary Public, Erie County, New York.

#### STATE OF NEW YORK COUNTY OF ERIE SS.

I, Kenneth T. Hanley, 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 16th day of April, 1951, 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 16th day of April, 1951.

KENNETH T. HANLEY,  
Town Clerk.

(SEAL)

apr 19

GA } ss.

the Town of Cheektowaga

being duly sworn,

the publisher of the

public newspaper published

; that the notice, of

slip, taken from said

inserted and published

for one weeks;  
9 1951

9 1951

days intervened between

*R. C. Ellis*

....., 19.....

*Ellis*

Erie County, N. Y.

NEW YORK  
County  
30, 19 53  
19

Cheektowaga, New York  
April 23, 1951.

At a special meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 23rd day of April, 1951, at 7:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Henry Nagel	Councilman
Felix T. Wroblewski	Councilman
Joseph A. Neibert	Councilman
Stanley Bystrak	Councilman
Benedict T. Holtz	Supervisor

ABSENT: -0-

The chairman called the meeting to order.

Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the Town Clerk be, and he is hereby authorized and directed to request the New York State Electric and Gas Company to install on Union Road at the corner of Peinkofer Drive, a street light. Seconded by Councilman Wroblewski. CARRIED: AYES: -5-.

Councilman Nagel presented 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 Commodore Terrace, to wit: the construction of a lateral sewer in said highway commencing at the south line of Huth Road and the center line of Commodore Terrace 1012.37 feet to a point 30 feet south from the south line of Lot Nos. 54 and 57, distance being the entire frontage of Lots Nos. 36 to 54 inclusive and 57 to 75 inclusive, plus 30 feet of Seaton Avenue. Then proceed easterly 388.09 feet to the existing sewer in the center line of Woodridge Avenue and Seaton Avenue. The aforesaid lots are inclusive under Map Cover 1633 filed in Erie County Clerk's Office, which sewer shall be so constructed to serve the properties on both sides of said public highway, and

WHEREAS, this board has heretofore directed Nussbaumer, Clarke and Velzy, 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, and

WHEREAS, it is necessary to re-bid the construction of said improvement in Commodore Terrace because of changes in the plans and specifications, and sealed proposals received on the 16th day of April, 1951, were returned to the bidders unopened,

NOW, THEREFOR,

BE IT RESOLVED, that the estimate for said improvement in the sum of \$10,500.00 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 improvement in Commodore Terrace in accordance with said plans, specifications, estimate and proposed contract heretofore approved, by the publication of notice thereof at least once in the Cheektowaga Times, the official newspaper 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 \$525.00 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 \$525.00, 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 7th day of May, 1951,

at 2:30 o'clock P.M., Eastern Standard Time, and

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

#### 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 7th day of May, 1951, at 2:30 o'clock P.M., E. D. S. 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 Commodore Terrace, to wit: the construction of a lateral sewer in said highway commencing at the south line of Huth Road and the center line of Commodore Terrace 1012.37 feet to a point 30 feet south from the south line of Lot Nos. 54 and 57, distance being the entire frontage of Lots Nos. 36 to 54 inclusive and 57 to 75 inclusive, plus 30 feet of Seaton Avenue. Then proceed easterly 388.09 feet to the existing sewer in the center line of Woodridge Avenue and Seaton Ave. The aforesaid lots are inclusive under Map Cover 1633 filed in Erie County Clerk's Office, which sewer shall be so constructed to serve properties on both sides of said public highway, in accordance with proposed contract, plans, profiles, drawings, instructions to bidders, specifications and estimates, prepared by Nussbaumer, Clarke & Velzy, 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, Clarke & Velzy, 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 condition within thirty days following the award of the contract or the rejection of bid of such bidder, 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 Five Hundred and Twenty-Five Dollars (\$525.00) payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga, or a bond with sufficient sureties to be approved by the Supervisor in a penal sum of Five Hundred and Twenty-Five Dollars (\$525.00), 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 reserves 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.

KENNETH T. HANLEY,

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

Henry Nagel	Voting AYE
Felix T. Wroblewski	Voting AYE
Joseph A. Neibert	Voting AYE
Stanley Bystrak	Voting AYE
Benedict T. Holtz	Voting AYE

CARRIED:

AYES: -5-.

Posted as follows on the 27th day of April, 1951;

Town Hall Bulletin Board;  
Forks Fire House, Broadway near Union Road;  
U-Crest Fire House, Evergreen Street and Clover Place;  
Pine Hill Fire House, Genesee Street and Normandy Avenue;  
Rescue Fire House, Pine Ridge Road;

Hereto is a copy of notice published in the Cheektowaga Times, the official paper of the Town of Cheektowaga;

#### 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 7th day of May, 1951, at 2:30 o'clock P.M., E. D. S. 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 Commodore Terrace, to wit: the construction of a lateral sewer in said highway commencing at the south line of Huth Road and the center line of Commodore Terrace 1012.37 feet to a point 30 feet south from the south line of Lot Nos. 54 and 57, distance being the entire frontage of Lots Nos. 36 to 54 inclusive and 57 to 75 inclusive, plus 30 feet of Seaton Avenue. Then proceed easterly 388.09 feet to the existing sewer in the center line of Woodridge Avenue and Seaton Ave.

The aforesaid lots are inclusive under Map Cover 1633 filed in Erie County Clerk's Office, which sewer shall be so constructed to serve properties on both sides of said public highway, in accordance with proposed contract, plans, profiles, drawings, instructions to bidders, specifications and estimates, prepared by Nussbaumer, Clarke & Velzy, 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, Clarke & Velzy, 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 condition within thirty days following the award of the contract or the rejection of bid of such bidder, 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 Five Hundred and Twenty-Five Dollars (\$525.00) payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga, or a bond with sufficient sureties to be approved by the Supervisor in a penal sum of Five Hundred and Twenty-Five Dollars (\$525.00), 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 reserves 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.

KENNETH T. HANLEY,  
Town Clerk.

Dated: April 23, 1951.

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STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA }

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one week; first publication April 26, 1951; last publication same; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of APR 26 1951, 19.....

*Eve J. Allis*

Notary Public in and for Erie County, N. Y.

*My commission expires  
March 30, 1953*

Communication read from Chief of Police Marynowski relating to certain police and fire wikes maintained by the Town in connection with the proposed thru-way in the Town of Cheektowaga. Ordered referred to the Town Engineer by Supervisor Holtz.

The Supervisor authorized and directed the Town Clerk to communicate with the C.A.A. at Washington, D.C., in regard to low flying planes arriving and departing from the Buffalo Airport which are causing a hazard to the residents residing on Smallwood Terrace, Broad Street and Roxborough Avenue.

At this point of the special meeting Supervisor Holtz gave up the chair to Councilman Bystrak, chairman of the Public Utility Committee.

Councilman Bystrak announced that this was the time and the place for a public hearing on the advisability of listing all telephone subscribers in the Town under the heading of "Cheektowaga".

The following persons appeared in favor to the proposed listing of telephone subscribers under the heading of "Cheektowaga";

James W. Trainor,  
Dr. Victor Reinstein,  
Carl G. Zaks,  
William F. Sisson,  
Alexander Ballatine,  
Richard Wheaton,  
Mrs. Stanley Hyrek,  
Joseph P. Straubinger, president of the Cheektowaga Chamber of Commerce  
Willard Allis, Publisher of the Cheektowaga Times;

No person or persons appeared in oppisition.

The chairman called on Mr. Fred C. Boyd, district manager of the New York Telephone Company who stated that the listing of Cheektowaga numbers in four different sections might be confusing at times, but could not give any definite answer to requests for a separate Cheektowaga listing at this time.

Mr. Boyd stated that he would study the matter carefully and report back to the Town Board at his earliest convenience.

The chairman announced that the hearing was closed and that the Town Board would await Mr. Boyd's report.

The Supervisor again took the chair to act as chairman for the balance of the meeting.

As there was no further business to come before the Board, Councilman Neibert moved seconded by Councilman Nagel to adjourn.

SEAL.

Kenneth T. Hanley,  
Town Clerk.



Cheektowaga, New York  
April 26, 1951.

At a special meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, on the 26th day of April, 1951, at 3:00 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Benedict T. Holtz	Supervisor
Henry Nagel	Councilman
Felix T. Wroblewski	Councilman
Stanley Bystrak	Councilman
ABSENT: Joseph A. Neibert	Councilman

The chairman called the meeting to order.

The Town Clerk then read the minutes of the meetings held on December 29th, 1950, January 4th, 1951, January 15, 1951, February 5th, 1951, ( afternoon meeting ), February 5th, 1951, ( evening meeting ), February 19th, 1951, March 15th, 1951, March 19th, 1951, April 2nd, 1951, and April 23rd, 1951, and there being no alterations or corrections, it was moved by Councilman Nagel and seconded by Councilman Wroblewski that these minutes stand approved as read and to be placed on file.

CARRIED: AYES: -4-

ABSENT : -1-

As there was no further business to come before the Board, Councilman Bystrak moved seconded by Councilman Wroblewski to adjourn.

SEAL

*Kenneth T. Hanley*  
Kenneth T. Hanley,  
Town Clerk.

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 7th day of May, 1951, at 2:30 o'clock P.M., E.D.S.T., there were:

PRESENT: Henry Nagel                      Councilman  
          Felix T. Wroblewski            Councilman  
          Joseph A. Neibert              Councilman

ABSENT: Benedict T. Holtz              Supervisor  
          Stanley Bystrak                Councilman

Due to the absence of Supervisor Holtz, Councilman Nagel was designated to act as Chairman for this meeting.

The Chairman called the meeting to order.

Without any objections the reading of the minutes of the previous meeting were dispensed with until a later date.

The Chairman stated that this was the time and the place for the receiving of bids for the construction of a lateral sanitary sewer in Commodore Terrace.

On a motion of Councilman Wroblewski, seconded by Councilman Neibert, the time for receiving of bids was ordered closed.

The Town Clerk then read the notice of publication to contractors and presented proof of publication.

( Copy of said notice is hereto attached )

**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 7th day of May, 1951, at 2:30 o'clock P.M., E. D. S. 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 Commodore Terrace, to wit: the construction of a lateral sewer in said highway commencing at the south line of Huth Road and the center line of Commodore Terrace 1012.37 feet to a point 30 feet south from the south line of Lot Nos. 54 and 57, distance being the entire frontage of Lots Nos 36 to 54 inclusive and 57 to 75 inclusive, plus 30 feet of Seaton Avenue. Then proceed easterly 388.09 feet to the existing sewer in the center line of Woodridge Avenue and Seaton Ave. The aforesaid lots are inclusive under Map Cover 1633 filed in Erie County Clerk's Office, which sewer shall be so constructed to serve properties on both sides of said public highway, in accordance with proposed contract, plans, profiles, drawings, instructions to bidders, specifications and estimates, prepared by Nussbaumer, Clarke & Velzy, 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, Clarke & Velzy, 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 condition within thirty days following the award of the contract or the rejection of bid of such bidder, 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 Five Hundred and Twenty-Five Dollars (\$525.00) payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga, or a bond with sufficient sureties to be approved by the Supervisor in a penal sum of Five Hundred and Twenty-Five Dollars (\$525.00), 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 reserves 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.

KENNETH T. HANLEY,  
Town Clerk.

Dated: April 23, 1951.

apr 28

STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA } ss.

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn,

deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one

first publication April 26, 1951

last publication same

and that no more than six days elapsed between publications.

Willard C. Allis

Sworn to before me this.....

APR 26 1951

day of ..... 19.....

Eugene J. Allis

Notary Public in and for Erie County

My commission expires  
March 30, 1953

Councilman Nelbert moved that the bids for the construction of a lateral sanitary sewer in Commodore Terrace be referred to Newell L. Nussbaumer and Irving Clarke, doing business as Nussbaumer Clarke and Velzy, Consulting Engineers for the Town and the Town Attorney 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 a special meeting of the Town Board to be held at 11:00 o'clock A.M., E.D.S.T., on the 12th day of May, 1951.

Seconded by Councilman Wroblewski. CARRIED: AYES: -3- NOES: -0- ( HERETO ATTACHED IS A SUMMARY OF BIDS: )

Received:  
May 15, 1951  
2:30 P.M., E.D.T.

Nussbaumer, Clarke & Velzy  
Consulting Sanitary Engrs

SUMMARY OF BIDS

Construction of Lateral Sanitary Sewer in Commodore Terrace and Section 2d.  
Partially from Commodore Terrace to Woodbridge Ave.  
Town of Oyster Bay, New York

Item No.	Description	Source, Inc.		Page Bros. Con.		Jameson Develop.		McLester Bros.		
		Unit	Total	Unit	Total	Unit	Total	Unit	Total	
MANHOLE NO. 1										
A-1	3" V.C.P., 6 - 6' 75' in length		\$217.50 (217.40)		\$22.50	\$ 195.00	\$ 2.75	\$ 256.25	\$ 4.00	\$ 300.00
A-2	8" V.C.P., 8 - 10' 160' in length		3.20	2,432.00	2.50	2,120.00	3.00	2,280.00	4.25	3,230.00
A-3	12" V.C.P., 10 - 12' 120' in length		3.70	481.00	3.00	350.00	3.75	487.50	4.75	577.50
A-4	10" V.C.P., 10 - 12' 127' in length		4.10	1,750.70	4.00	1,700.00	4.00	1,700.00	5.10	2,117.70
A-5	1" Benholes 8 - 10'		300.00	600.00	200.00	400.00	225.00	450.00	300.00	600.00
A-6	Benholes 10 - 12'		350.00	1,050.00	220.00	660.00	250.00	750.00	350.00	1,050.00
A-7	Conc. to entire manhole		100.00	100.00	50.00	50.00	100.00	100.00	100.00	100.00
A-8	1" V.C.P. transoms 36 total		4.00	114.00	5.00	180.00	6.00	216.00	2.50	60.00
A-9	Belts and brackets 225 Manhole Desc		2.00	1,850.00	3.00	2,775.00	2.50	2,312.50	2.80	2,570.00
A-10	Manhole top 1,500 lbs. concrete circle 357 lined Desc		1.70	916.90	2.00	1,114.00	2.00	1,114.00	2.50	1,250.00
A-11	Total A-1 thru A-10 Total for complete job Manhole No. 1		\$ 39,572.10 ( 9,572.00)		\$2,500.00		\$33,986.25		\$12,117.70	

The Chairman stated that this was the time and the place for the receiving of bids for the construction of a lateral sanitary sewer in Darwin Drive.

On a motion of Councilman Neibert, seconded by Councilman Wroblewski, the time for receiving of bids was ordered closed.

The Town Clerk then read the notice of publication to contractors and presented proof of publication.

( Copy of said notice is hereto attached )

#### 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 7th day of May, 1951, at 2:30 o'clock P.M., E. D. S. 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 lateral sewer in said highway on Darwin Drive, commencing at the intersection of Cleveland Drive and Darwin Drive at the existing sewer, thence northerly along the center line of Darwin Drive to the Amherst Town Line, for the entire length of said street within said Township, 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 & 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 condition within thirty days following the award of the contract or the rejection of bid of such bidder, 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 Seven Hundred and Fifty Dollars (\$750.00) payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga, or a bond with sufficient sureties to be approved by the Supervisor in a penal sum of Seven Hundred and Fifty Dollars (\$750.00) 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 reserves 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.

KENNETH T. HANLEY,  
Town Clerk.

Dated: April 16, 1951

apr 19

STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA } ss.

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks:  
first publication ..... APR 19 1951  
last publication ..... APR 19 1951  
and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

APR 19 1951

at ..... of ..... 19.....

*Eve J. Allis*

Notary Public in and for Erie County, N. Y.

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1953  
Registered No. 5029

Councilman Nelbert moved that the bids for the construction of a lateral sanitary sewer in Commodore Terrace be referred to Newell L. Nussbaumer and Irving Clarke, doing business as Nussbaumer Clarke and Velzy, Consulting Engineers for the Town and the Town Attorney 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 a special meeting of the Town Board to be held at 11:00 o'clock A.M., E.D.S.T., on the 12th day of May, 1951.

Seconded by Councilman Wroblewski. CARRIED: AYES: -3- NOES: -0-  
( HERETO ATTACHED IS A SUMMARY OF BIDS: )

May 7, 1951  
2:30 P.M., E.D.T.

SUMMARY OF BIDS

Nussbaumer and Clarke  
Consulting Sanitary Engineers

Construction of Sanitary Sewer in Commodore Terr. and Sea Lion Rd.  
Easterly from Commodore Terrace to Woodbridge Ave.  
Town of Cheektowaga, New York

No.	Description	Faso Bros. Contracting Co.		Lancaster Development Co.		Syraco, Inc.		Reedier Bros. A. Penick	
		Unit	Total	Unit	Total	Unit	Total	Unit	Total
1-1	1" V.C.P. 6 - 10' in length	\$ 2.50	\$ 375.00	\$ 2.50	\$ 375.00	\$ 3.10	\$ 665.00	\$ 4.00	\$ 600.00
2-2	6" V.C.P. 8 - 10' in length	3.00	4,560.00	2.85	4,332.00	3.60	5,472.00	4.25	6,460.00
3-3	12" V.C.P. 10 - 12' in length	3.50	910.00	3.75	975.00	4.00	1,040.00	4.75	1,325.00
4-4	15" V.C.P. 10 - 12' in length	4.00	1,800.00	3.75	1,685.00	4.40	1,988.80	5.10	2,305.20
5-5	4 manholes 8 - 10'	200.00	800.00	225.00	900.00	300.00	1,200.00	270.00	1,080.00
6-6	5 manholes 10 - 12'	220.00	1,100.00	250.00	1,250.00	350.00	1,750.00	320.00	1,600.00
7-7	Concrete to exist. manhole	50.00	50.00	100.00	100.00	150.00	100.00	100.00	100.00
8-8	36" pipe branches 36 total	5.00	180.00	6.00	216.00	4.00	144.00	2.50	90.00
9-9	Mane 10' 1,800 lb. concrete encasement 72 linear feet	2.00	1,424.00	2.00	1,424.00	1.70	1,210.40	2.50	1,700.00
10-10	total 5-1 thru 8-9 costs for complete job alternate 11'		\$11,207.00		\$11,267.00		\$13,370.20		\$15,450.20
	Bid Security		The Travelers Indemnity Co.				New Amsterdam Casualty Co.		Fidelity & Deposit Co. of N.Y.

The Chairman stated that this was the time and the place for the receiving of bids for the construction of a lateral sanitary sewer in Darwin Drive.

On a motion of Councilman Neibert, seconded by Councilman Wroblewski, the time for receiving of bids was ordered closed.

The Town Clerk then read the notice of publication to contractors and presented proof of publication.

( Copy of said notice is hereto attached )

STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA } ss.

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.

KENNETH T. HANLEY.

Town Clerk.

Dated: April 16, 1951

apr 19





Councilman Neilbert moved that the bids for the construction of a lateral sanitary sewer in Darwin Drive be referred to Newell L. Nussbaumer and Irving Clarke, doing business as Nussbaumer Clarke and Velzy, Consulting Engineers for the Town and the Town Attorney 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 a special meeting of the Town Board to be held at 11:00 o'clock A.M., E.D.S.T., on the 12th day of May, 1951.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -3- NOES: -0-

HERETO ATTACHED IS A SUMMARY OF BIDS:

Bids  
Received  
May 7, 1951

Nussbaumer and Clarke  
Consulting Sanitary Engineers

SUMMARY OF BIDS

Construction of Sanitary Sewer in Darwin Drive  
from Cleveland Drive to Vehicle Drive  
Town of Cheektowake, New York

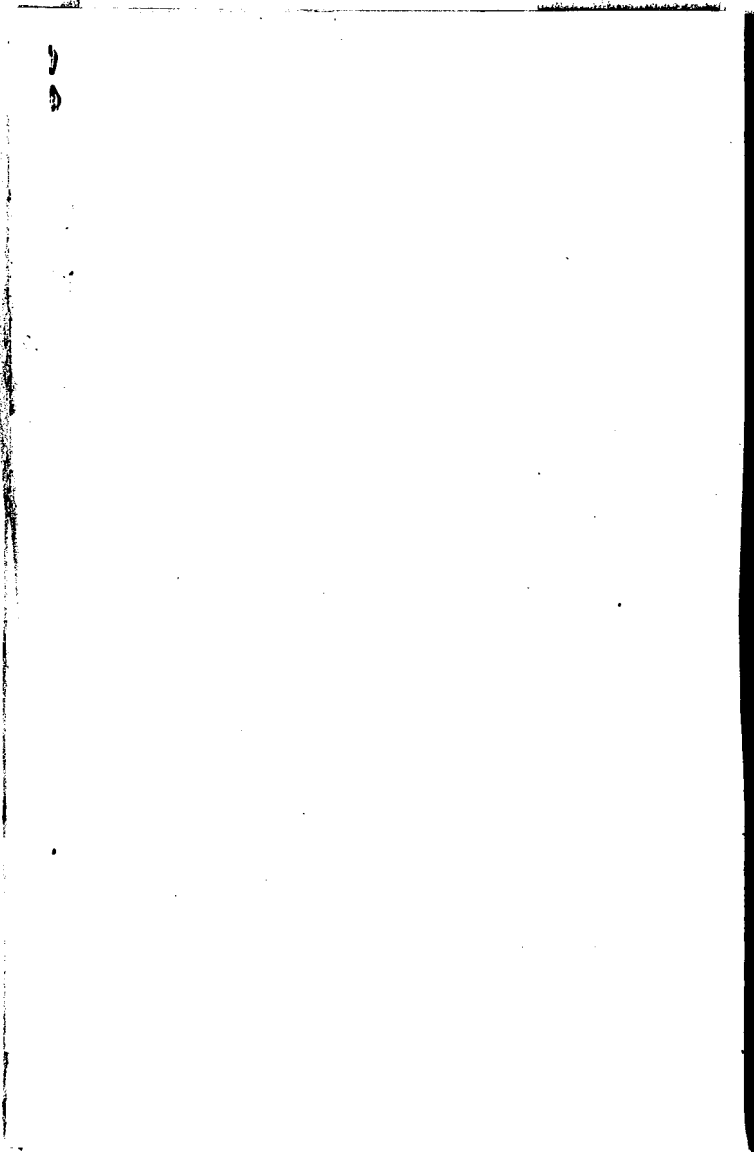
Bid Item No.	Pahning Con- tracting Co.	
	Unit	Total
1	\$ 4.20	\$ 5,502.00
2	4.70	1,104.50
3	250.00	750.00
4	300.00	600.00
5	1,600.00	1,600.00
6	50.00	50.00
7	7.50	225.00
8	4.00	5,540.00
9	5.00	2,000.00
10		16,371.50
Firemen's Fund Indemnity		

Councilman Neilbert moved that the bids for the construction of a lateral sanitary sewer in Darwin Drive be referred to Newell L. Nussbaumer and Irving Clarke, doing business as Nussbaumer Clarke and Velzy, Consulting Engineers for the Town and the Town Attorney 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 a special meeting of the Town Board to be held at 11:00 o'clock A.M., E.D.S.T., on the 12th day of May, 1951.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -3- NOES: -0-

HERETO ATTACHED IS A SUMMARY OF BIDS:



**RUSSELLMAN AND CLARK**  
**Engineers**

May 12, 1921

The Hon. Town Board of Cheektowaga  
Cheektowaga Town Hall  
Brooklyn and Union Road  
Buffalo 25, New York

Gentlemen:

Enclosed herewith are the tabulations of the bids for the construction of sanitary sewers in Commodore Terrace and Darwin Drive. We have reviewed the bids as submitted, and find the following:

**1. Commodore Terrace:**

**Alternate "A" - Construction of Sewer in Center of Street:**

The low bid for the construction of sewers in this street in accordance with the quantities and unit prices bid, as shown on the form of Proposal, using selected backfill, is \$9,572.10 as submitted by Stevens, Inc.

If Item A-9, selected backfill, were to be deleted, then the low bidder would be Fago Bros. with a bid of \$6,825.00.

**Alternate "B" - Construction of Two Sewers, One on Each Side of Street:**

The low bid for the construction of two sewers, one on each side of the street, is \$11,207.00 as submitted by Fago Bros. Contracting Company.

**2. Darwin Drive:**

On the basis of quantities and unit prices bid, the low bid was \$9,627.50 as submitted by the Lancaster Development Company.

If Item No. 8, selected backfill, were deleted, the low bid would be \$6,186.00 as submitted by Fago Bros. Contracting Company.

Item No. 9 is for 800 lin. ft. of Class B Concrete pipe. We do not believe that any concrete pipe will be required on this job. In which case, if this item were not used and was deleted from the contract, the low bid would be \$9,227.50 as submitted by Lancaster Development Company.

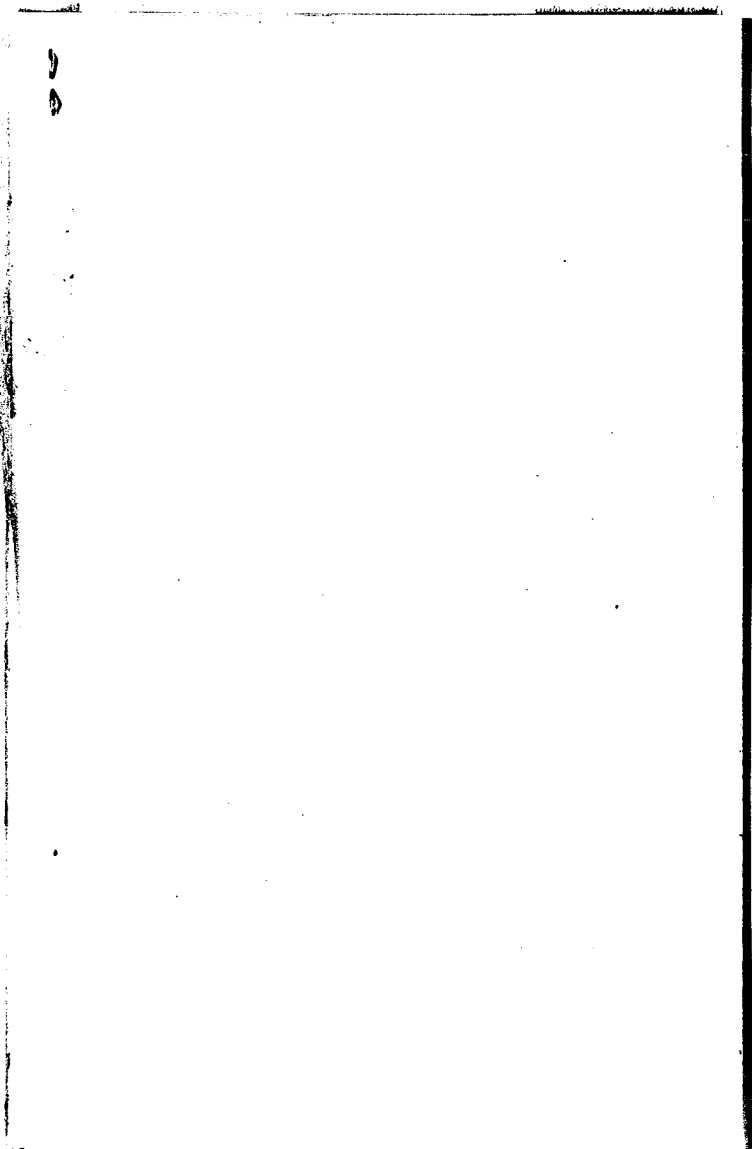
If both Items 8 and 9 were deleted from the contract, the low bid would be \$5,986.00 as submitted by Fago Bros. Contracting Company.

Councilman Neibert moved that the bids for the construction of a lateral sanitary sewer in Darwin Drive be referred to Newell L. Nussbaumer and Irving Clarke, doing business as Nussbaumer Clarke and Velzy, Consulting Engineers for the Town and the Town Attorney 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 a special meeting of the Town Board to be held at 11:00 o'clock A.M., E.D.S.T., on the 12th day of May, 1951.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -3- NOES: -0-

HERETO ATTACHED IS A SUMMARY OF BIDS:



The Hon. Town Board of Onekema

- 2 -

May 12, 1931

We consider that all of the above contractors have equal capabilities for performing the work.

The award of the contract on Commodore Terrace would depend upon the decision of the Town Board as to:

1. Whether they desire to construct one sewer in the center of the street and use selected backfill,
2. Construct the sewer in the center of the street and delete the item of selected backfill, and
3. Construct two sewers, one on each side of the street.

The award of the contract on Darwin Drive would depend on the decision of the Board as to whether they desire to use selected backfill, or not.

Very truly yours,

WESBAUMER AND CLARK

Irving Clarke

RECEIVED



This being the time and the place advertised for a public hearing on the proposed improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described the Chairman 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 order of the Chairman, such proof was duly filed.

PUBLIC HIGHWAY TO BE IMPROVED

NAME OF HIGHWAY	FROM	TO
Kenview Boulevard	Cleveland Drive	Burke Drive

TYPE OF STREET LIGHTING INSTALLATION

Y-20 Standards-Over-hanging Bracket- Underground Conduit

The Chairman 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 Chairman declared the hearing closed.

Councilman Neibert 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 highway situated in Consolidated Lighting District of the Town of Cheektowaga hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described.

PUBLIC HIGHWAY TO BE IMPROVED

NAME OF HIGHWAY	FROM	TO
Kenview Boulevard	Cleveland Drive	Burke Drive

TYPE OF STREET LIGHTING INSTALLATION

Y-20 Standards-Over-Hanging Bracket-Undergroudnd Conduit ,

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 authorizd 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 Councilman Wroblewski and duly put to a vote which resulted as follows:

Henry Nagel  
Felix T. Wroblewski  
Joseph A. Neibert

Voting AYE  
Voting AYE  
Voting AYE

AYES: -3-

NOES: -0-

ABSENT: -2-

STATE OF NEW YORK } SS.  
COUNTY OF ERIE }

I, Kenneth T. Hanley, 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 7th day of May, 1951, 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 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.

I FURTHER CERTIFY that a certified copy of such resolution and order was caused by me to be recorded in the Office of the Clerk of Erie County, New York, on the 17th day of May, 1951.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said Town of Cheektowaga, this 17th day of May, 1951.

Kenneth T. Hanley  
Town Clerk.

SEAL.

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the Supervisor be authorized and directed to purchase from the Westinghouse Electric Company, Seven (7), Y-20 light standards to be used on Kenview Boulevard, in the Town of Cheektowaga, New York.

Seconded by Councilman Neibert,

CARRIED: AYES: -3-.

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, Rev. Leo G. Link, Pastor of Our Lady Help of Christians Roman Catholic Church, has granted permission to the Recreational Department of the Town of Cheektowaga to use a portion of its vacant property in the rear of the Chapel as a public playground for all the young children of the neighborhood, be it

RESOLVED, that an expenditure in the sum of \$1,000.00 be authorized to purchase equipment for said playground for the year 1951.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -3-.

Councilman Neibert presented the following resolution and moved its adoption:

RESOLVED, that the Town Engineer be directed to make an estimate of the cost of building a bridge over Scjacquada Creek at Eastland Avenue, and that he be requested to present to the Town Board a rough plan for the improvement; and

BE IT FURTHER RESOLVED, that the Town Engineer be directed to make a survey of the needs for repairs to the Town Hall and report his recommendations to the Town Board.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -3-.

# **NOTICE OF HEARING**

## **Water District 9 Extension**

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 7th day of May, 1951, at 2:30 o'clock P.M., E.D.S.T., there were:

### **PRESENT:**

Henry J. Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman

### **ABSENT:**

Benedict T. Holtz, Supervisor  
Stanley Bystrak, Councilman  
Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS a petition for the extension of Water District No. 9 in the Town of Cheektowaga, New York pursuant to the provisions of Article 12 of the Town Law, was presented to the Board on the 4th day of May, 1951; and

WHEREAS, it appears to the Town Board that the above petition was 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 area proposed to be annexed to Water District No. 9; and also signed by non-resident taxpayers owning taxable real property aggregating more than one-half of the existing valuation of all the taxable real property situate in the area where said water district extension is proposed to be made, owned by non-resident taxpayers; and

WHEREAS, said petition appears to have been signed and acknowledged by resident taxpayers owning taxable real property aggregating more than one-half of the entire frontage of boundaries on the both sides of the highways within the said proposed water district extension, and is also signed by non-resident taxpayers owning at least one-half of the entire frontage or boundaries on the both sides of the highways within the said proposed water district extension; and

WHEREAS said petition is accompanied by a map prepared by Newell L. Nussbaumer and Irving Clarke, Engineers, duly licensed by the State of New York, and Albert J. Kamm, Town Engineer of the Town of Cheektowaga, showing the boundaries of the said proposed water district extension; and

WHEREAS, the proposed water district extension is described in said petition as follows:

### **DESCRIPTION OF PROPOSED EXTENSION OF BORDEN ROAD WATER DISTRICT No. 9**

### **TOWN OF CHEEKTOWAGA, NEW YORK**

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, and State of New York, and being more particularly bounded and described as follows:

BEGINNING at a point in the center line of Como Park Boulevard at a point 233 feet east of the center line of Borden Road;

THENCE northerly 300 feet on a line parallel with the center line of Borden Road;

THENCE easterly 1227.72 feet on

a line parallel with the center line of Como Park Boulevard;

THENCE southerly 67 feet on a line parallel with the center line of Borden Road;

THENCE easterly 1441.98 feet on a line parallel with the center line of Como Park Boulevard;

THENCE northerly 1027.08 feet along a line parallel to the center line of Transit Road;

THENCE easterly 200 feet along the line parallel to the center line of Zurbrick Road;

THENCE southerly 1560.08 feet on a line parallel with the center line of Transit Road;

THENCE westerly on a line parallel with the center line of Como Park Boulevard to a point 233 feet east of the center line of Borden Road;

THENCE northerly 300 feet to the point of beginning.

and,  
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 New York, meet at the Town Hall, corner of Broadway and Union Road in the Town of Cheektowaga on the 21st day of May, 1951, at 7:30 o'clock P.M., E.D.S.T., 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 Cheektowaga Times and the Depew Herald, newspapers having general circulation in the territory affected, 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 (5) public places within the area where said proposed water district extension is to be made, not less than ten (10) nor more than twenty (20) days before said day designated for the hearing.

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

Supervisor Holtz, Absent.  
Councilman Nagel, voting Aye.  
Councilman Wroblewski, voting Aye.  
Councilman Neibert, voting Aye.  
Councilman Bystrak, Absent.

AYES: 3 NOES: 0 ABSENT: 2

### **STATE OF NEW YORK**

### **COUNTY OF ERIE**

### **TOWN OF CHEEKTOWAGA : SS**

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 7th day of May, 1951, and that the same is a correct and true transcript of such original resolution and the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed this seal of said Town this 7th day of May, 1951.

KENNETH T. HANLEY  
Clerk of the Town Board,  
Town of Cheektowaga, N. Y.  
(SEAL)

and Transit

owaga Times

STATE OF NEW YORK  
 COUNTY OF ERIE  
 TOWN OF CHEEKTOWAGA

}

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one week; first publication MAY 10 1951; last publication MAY 10 1951; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of MAY 10 1951, 19.....

*Eve J. Allis*

Notary Public in and for Erie County, N. Y.

EVE J. ALLIS  
 NOTARY PUBLIC, STATE OF NEW YORK  
 Qualified in Erie County  
 My Commission Expires March 30, 1953  
 Registered 1-1-53

# **NOTICE OF HEARING**

## **Water District 9 Extension**

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 7th day of May, 1951, at 2:30 o'clock P.M., E.D.S.T., there were:

### **PRESENT:**

Henry J. Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman

### **ABSENT:**

Benedict T. Holtz, Supervisor  
Stanley Bystrak, Councilman  
Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS a petition for the extension of Water District No. 9 in the Town of Cheektowaga, New York pursuant to the provisions of Article 12 of the Town Law, was presented to the Board on the 4th day of May, 1951; and

WHEREAS, it appears to the Town Board that the above petition was 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 area proposed to be annexed to Water District No. 9; and also signed by non-resident taxpayers owning taxable real property aggregating more than one-half of the existing valuation of all the taxable real property situate in the area where said water district extension is proposed to be made, owned by non-resident taxpayers; and

WHEREAS, said petition appears to have been signed and acknowledged by resident taxpayers owning taxable real property aggregating more than one-half of the entire frontage of boundaries on the both sides of the highways within the said proposed water district extension, and is also signed by non-resident taxpayers owning at least one-half of the entire frontage or boundaries on the both sides of the highways within the said proposed water district extension; and

WHEREAS said petition is accompanied by a map prepared by Newell L. Nussbaumer and Irving Clarke, Engineers, duly licensed by the State of New York, and Albert J. Kamm, Town Engineer of the Town of Cheektowaga, showing the boundaries of the said proposed water district extension; and

WHEREAS, the proposed water district extension is described in said petition as follows:

### **DESCRIPTION OF PROPOSED EXTENSION OF BORDEN ROAD WATER DISTRICT No. 9 TOWN OF CHEEKTOWAGA, NEW YORK**

**ALL THAT TRACT OR PARCEL  
OF LAND** situate in the Town of Cheektowaga, County of Erie, and State of New York, and being more particularly bounded and described as follows:

**BEGINNING** at a point in the center line of Como Park Boulevard at a point 233 feet east of the center line of Borden Road;

**THENCE** northerly 300 feet on a line parallel with the center line of Borden Road;

**THENCE** easterly 1227.72 feet on

a line parallel with the center line of Como Park Boulevard;

**THENCE** southerly 67 feet on a line parallel with the center line of Borden Road;

**THENCE** easterly 1441.98 feet on a line parallel with the center line of Como Park Boulevard;

**THENCE** northerly 1027.08 feet along a line parallel to the center line of Transit Road;

**THENCE** easterly 200 feet along the line parallel to the center line of Zurbrick Road;

**THENCE** southerly 1560.08 feet on a line parallel with the center line of Transit Road;

**THENCE** westerly on a line parallel with the center line of Como Park Boulevard to a point 233 feet east of the center line of Borden Road;

**THENCE** northerly 300 feet to the point of beginning.

and,  
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 New York, meet at the Town Hall, corner of Broadway and Union Road in the Town of Cheektowaga on the 21st day of May, 1951, at 7:30 o'clock P.M., E.D.S.T., 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 Cheektowaga Times and the Depew Herald, newspapers having general circulation in the territory affected, 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 (5) public places within the area where said proposed water district extension is to be made, not less than ten (10) nor more than twenty (20) days before said day designated for the hearing.

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

Supervisor Holtz, Absent.  
Councilman Nagel, voting Aye.  
Councilman Wroblewski, voting Aye.  
Councilman Neibert, voting Aye.  
Councilman Bystrak, Absent.  
**AYES: 3 NOES: 0 ABSENT: 2**

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

**SS**  
This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 7th day of May, 1951, and that the same is a correct and true transcript of such original resolution and the whole thereof.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed this seal of said Town this 7th day of May, 1951.

**KENNETH T. HANLEY**  
Clerk of the Town Board,  
Town of Cheektowaga, N. Y.

(SEAL)

Posted as follows on the 11th day of May, 1951;

Telephone Pole No. 302, Como Park Boulevard;  
 Telephone Pole No. 304, Como Park Boulevard;  
 Telephone Pole No. 96-1, Como Park Boulevard;  
 Telephone Pole No. 99, Como Park Boulevard;  
 Telephone Pole No. 404, Como Park Boulevard;  
 Telephone Pole No. 220, Transit Road;  
 Telephone Pole No. 222, Transit Road;  
 Telephone Pole No. 225, Transit Road;  
 Telephone Pole No. 228, Transit Road;  
 Telephone Pole No. 230, Transit Road;  
 B.W.G. Food Store, south west corner of Como Park Boulevard and Transit Road;

Hereto attached is a copy of notice published in the Cheektowaga Times and the Depew Herald:

# **NOTICE OF HEARING** **Water District 9 Extension**

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 7th day of May, 1951, at 2:30 o'clock P.M., E.D.S.T., there were:

## **PRESENT:**

Henry J. Nagel, Councilman  
 Felix T. Wroblewski, Councilman  
 Joseph A. Neibert, Councilman

## **ABSENT:**

Benedict T. Holtz, Supervisor  
 Stanley Bystrak, Councilman

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS a petition for the extension of Water District No. 9 in the Town of Cheektowaga, New York pursuant to the provisions of Article 12 of the Town Law, was presented to the Board on the 4th day of May, 1951; and

WHEREAS, it appears to the Town Board that the above petition was 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 area proposed to be annexed to Water District No. 9; and also signed by non-resident taxpayers owning taxable real property aggregating more than one-half of the existing valuation of all the taxable real property situate in the area where said water district extension is proposed to be made, owned by non-resident taxpayers; and

WHEREAS, said petition appears to have been signed and acknowledged by resident taxpayers owning taxable real property aggregating more than one-half of the entire frontage of boundaries on the both sides of the highways within the said proposed water district extension, and is also signed by non-resident taxpayers owning at least one-half of the entire frontage or boundaries on the both sides of the highways within the said proposed water district extension; and

WHEREAS said petition is accompanied by a map prepared by Newell L. Nussbaumer and Irving Clarke, Engineers, duly licensed by the State of New York, and Albert J. Kamm, Town Engineer of the Town of Cheektowaga, showing the boundaries of the said proposed water district extension; and

WHEREAS, the proposed water district extension is described in said petition as follows:

## **DESCRIPTION OF PROPOSED EXTENSION OF BORDEN ROAD WATER DISTRICT No. 9 TOWN OF CHEEKTOWAGA, NEW YORK**

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, and State of New York, and being more particularly bounded and described as follows:

BEGINNING at a point in the center line of Como Park Boulevard at a point 233 feet east of the center line of Borden Road;

THENCE northerly 300 feet on a line parallel with the center line of Borden Road;

THENCE easterly 1227.72 feet on

a line parallel with the center line of Como Park Boulevard;

THENCE southerly 67 feet on a line parallel with the center line of Borden Road;

THENCE easterly 1441.98 feet on a line parallel with the center line of Como Park Boulevard;

THENCE northerly 1027.08 feet along a line parallel to the center line of Transit Road;

THENCE easterly 200 feet along the line parallel to the center line of Zurbrick Road;

THENCE southerly 1560.08 feet on a line parallel with the center line of Transit Road;

THENCE westerly on a line parallel with the center line of Como Park Boulevard to a point 233 feet east of the center line of Borden Road;

THENCE northerly 300 feet to the point of beginning.

and, 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, New York, meet at the Town Hall, corner of Broadway and Union Road in the Town of Cheektowaga on the 21st day of May, 1951, at 7:30 o'clock P.M., E.D.S.T., 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 Cheektowaga Times and the Depew Herald, newspapers having general circulation in the territory affected, 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 (5) public places within the area where said proposed water district extension is to be made, not less than ten (10) nor more than twenty (20) days before said day designated for the hearing.

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

Supervisor Holtz, Absent.  
 Councilman Nagel, voting Aye.  
 Councilman Wroblewski, voting Aye.  
 Councilman Neibert, voting Aye.  
 Councilman Bystrak, Absent.  
 AYES: 3 NOES: 0 ABSENT: 2

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

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 7th day of May, 1951, and that the same is a correct and true transcript of such original resolution and the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed this seal of said Town this 7th day of May, 1951.

KENNETH T. HANLEY  
 Clerk of the Town Board,  
 Town of Cheektowaga, N. Y.  
 (SEAL)

Town of Cheektowaga

being duly sworn,

publisher of the

newspaper pub-

at the notice, of

taken from said

ed and published

One week

51

intervened be-

*P. Allis*

19.....

*Alis*

County, N. Y.



STATE OF NEW YORK  
COUNTY OF ERIE

NOTICE

At a regular meeting of the  
Town Board of the Town of Cheek-  
towaga, Erie County, New York,  
held at the Town Hall in said Town  
of Cheektowaga on the 7th day

Borden Road;

THENCE easterly 1441.98 feet on  
a line parallel with the center line  
of Como Park Boulevard;

THENCE northerly 1027.08 feet  
along a line parallel to the center  
line of Transit Road;

THENCE easterly 200 feet along  
the line parallel to the center line  
of Zurbick Road;

THENCE southerly 1560.08 feet  
on a line parallel with the center  
line of Transit Road;

THENCE westerly on a line par-  
allel with the center line of Como  
Park Boulevard to a point 233  
feet east of the center line of Bor-  
den Road;

THENCE northerly 300 feet to  
the point of beginning.

Office of the Clerk of the  
Town of Cheektowaga — ss:

This is to certify that I, KEN-  
NETH T. HANLEY, Clerk of the

Town of Cheektowaga, in the said  
County of Erie, have compared the

foregoing copy of resolution with  
the original resolution now on file

at this office, and which was  
passed by the Town Board of the

Town of Cheektowaga in said  
County of Erie, on the 7th day

of May, 1951, and that the same is  
a correct and true transcript of

such original resolution and the  
whole thereof.

IN WITNESS WHEREOF, I  
have hereunto set my hand and  
affixed the seal of said Town this

7th day of May, 1951.  
KENNETH T. HANLEY,  
(Seal) Clerk of the Town  
Board, Town of  
Cheektowaga, N. Y.

*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

*10<sup>th</sup>* day of *May*, 19*51*, 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. Taber, Jr.*  
*-4-*

Sworn to before me this *24<sup>th</sup>* day of

*June* 19*51*  
*Kenneth T. Hanley*  
Notary Public in and for Erie County.

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the Town Board on the 19th day of June, 1950, determined that it was in the public interest to grant in whole the relief sought by a petition heretofore filed with the Town Board to create a water district to be known as Water District No. 9 of the Town of Cheektowaga, New York, and to include therein all of the premises described in the petition; and

WHEREAS, the Town Board authorized Newell L. Nussbaumer and Irving Clarke, duly licensed engineers, to prepare a map and general plan showing the boundaries of said proposed water district, the general plan of the proposed water system, source of water supply, water mains, distribution pipes, hydrants, reservoirs, if any, and the location of each; and

WHEREAS, Frank C. Moore, State Comptroller, on the 23rd day of September, 1950, granted the application of the Town Board of the Town of Cheektowaga, New York, to establish Water District No. 9; and

WHEREAS, the Water Power and Control Commission of the State of New York also approved the creation of said water district and plans and specifications prepared by Messrs. Nussbaumer and Clarke, Engineers; and

WHEREAS, the Town Board invited sealed proposals for the furnishing of labor and materials necessary for the work to be done; and

WHEREAS, sealed proposals were received by the Town Board for the doing of the work and furnishing of the materials on the 4th day of December, 1950; and

WHEREAS, the Depew Paving Company Inc., submitted a bid in writing to do the work and furnish the necessary materials for the sum of Sixty-nine Thousand, Two hundred dollars (\$69,200.00), that being the lowest bid submitted by any bidder; and

WHEREAS, the bid of Depew Paving Company Inc., to do the work and furnish the necessary materials in connection with the formation of said water district was accepted; and thereafter a contract was entered into between the Depew Paving Company Inc., and the Town of Cheektowaga, New York; and

WHEREAS, the Town Board has authorized a bond issue to raise the necessary money to pay for the improvement in creating the said water district No. 9; and

WHEREAS, the bond issue has not as yet been completed, and there will be a short delay before said bonds will be sold, not exceeding 120 days; and

WHEREAS, Depew Paving Company Inc., has purchased 10,384 feet of 8-inch cast-iron pipe to be used to perform its contract with the Town of Cheektowaga, New York, which said material has been delivered on the job; and

WHEREAS, there is now due and owing Depew Paving Company, Inc., the sum of \$20,840.69 for the materials furnished and labor performed toward the completion of the contract, as is certified by Nussbaumer and Clarke, Consulting Engineers of the Town of Cheektowaga, New York; and

WHEREAS, the Manufacturers and Traders Trust Company has agreed to loan said amount to the Town of Cheektowaga for a period of 120 days with interest at two per cent (2%) per annum upon a note executed by the Supervisor of the Town of Cheektowaga, said note, with interest thereon, to be paid out of the moneys realized from the sale of bonds to be sold to pay for said improvement, the creation of Water District No. 9, Town of Cheektowaga, New York,

BE IT RESOLVED, that the Supervisor of the Town of Cheektowaga be and he is hereby authorized and directed to execute a promissory note to the Manufacturers and Traders Trust Company, to be payable 120 days from its date, to the Manufacturers and Traders Trust Company, 284 Main Street, Buffalo, New York, in the sum of Twenty Thousand, Eight Hundred Forty and Sixty-Nine One-Hundredths Dollars (\$20,840.69), with interest at the rate of Two per cent (2%) per annum. Said note shall provide for its payment out of funds received from the sale of bonds heretofore authorized to be sold in connection with the said Water District No. 9, and the Supervisor of the Town of Cheektowaga, New York, is hereby authorized to pledge the credit of the Town of Cheektowaga, New York, to the payment of said note with interest on its due date and he is further authorized to execute any and all legal documents required by the bank in connection with the borrowing of the sum aforementioned; and

STATE OF NEW YORK  
COUNTY OF ERIE

NOTICE

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 7th day of May, 1951, at 2:30 o'clock P.M., Eastern Daylight Saving Time, there were:

PRESENT:

Henry J. Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Nelbert, Councilman

ABSENT:

Benedict T. Holtz, Supervisor  
Stanley Bystrak, Councilman  
Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, a petition for the extension of Water District No. 9 in the Town of Cheektowaga, New York, pursuant to the provisions of Article 12 of the Town Law, was presented to the Board on the 4th day of May, 1951; and

WHEREAS, it appears to the Town Board that the above petition was duly signed and acknowledged, in the same manner as a deed, to be recorded by resident taxpayers owning taxable real property aggregating more than  $\frac{1}{4}$  of the assessed valuation of all the taxable real property situate in the area proposed to be annexed to Water District No. 9; and also signed by non-resident taxpayers

owning taxable real property aggregating more than  $\frac{1}{4}$  of the existing valuation of all the taxable real property situate in the area where said water district extension is proposed to be made, owned by nonresident taxpayers; and

WHEREAS, said petition appears to have been signed and acknowledged by resident taxpayers owning taxable real property aggregating more than  $\frac{1}{4}$  of the entire frontage of boundaries on the both sides of the highways within the said proposed water district extension, and is also signed by non-resident taxpayers owning at least  $\frac{1}{4}$  of the entire frontage or boundaries on the both sides of the highways within the said proposed water district extension; and

WHEREAS, said petition is accompanied by a map prepared by Newell L. Nussbaumer and Irving Clarke, Engineers duly licensed by the State of New York, and Albert J. Kamm, Town Engineer of the Town of Cheektowaga, showing the boundaries of the said proposed water district extension; and

WHEREAS, the proposed water district extension is described in said petition as follows:

DESCRIPTION OF PROPOSED  
EXTENSION

OF

BORDEN ROAD WATER DISTRICT NO. 9, TOWN OF CHEEKTOWAGA, NEW YORK

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, and being more particularly bounded and described as follows:

BEGINNING at a point in the center line of Como Park Boulevard at a point 233 feet east of the center line of Borden Road;

THENCE, northerly 300 feet on a line parallel with the center line of Borden Road;

THENCE easterly 1227.72 feet on a line parallel with the center line of Como Park Boulevard;

THENCE southerly 67 feet on a line parallel with the center line of Borden Road;

THENCE easterly 1441.98 feet on a line parallel with the center line of Como Park Boulevard;

THENCE northerly 1027.08 feet along a line parallel to the center line of Transit Road;

THENCE easterly 200 feet along the line parallel to the center line of Zurbrick Road;

THENCE southerly 1560.08 feet on a line parallel with the center line of Transit Road;

THENCE westerly on a line parallel with the center line of Como Park Boulevard to a point 233 feet east of the center line of Borden Road;

THENCE northerly 300 feet to the point of beginning.

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

10th day of May, 1951, and

the last insertion being on the day of

1951, and that not

more than six days intervened between any two publications thereof.

Frank A. Taber, Jr.

th day of

1951

Attest

Public in and for Erie County.

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the Town Board on the 19th day of June, 1950, determined that it was in the public interest to grant in whole the relief sought by a petition heretofore filed with the Town Board to create a water district to be known as Water District No. 9 of the Town of Cheektowaga, New York, and to include therein all of the premises described in the petition; and

WHEREAS, the Town Board authorized Newell L. Nussbaumer and Irving Clarke, duly licensed engineers, to prepare a map and general plan showing the boundaries of said proposed water district, the general plan of the proposed water system, source of water supply, water mains, distribution pipes, hydrants, reservoirs, if any, and the location of each; and

WHEREAS, Frank C. Moore, State Comptroller, on the 23rd day of September, 1950, granted the application of the Town Board of the Town of Cheektowaga, New York, to establish Water District No. 9; and

WHEREAS, the Water Power and Control Commission of the State of New York also approved the creation of said water district and plans and specifications prepared by Messrs. Nussbaumer and Clarke, Engineers; and

WHEREAS, the Town Board invited sealed proposals for the furnishing of labor and materials necessary for the work to be done; and

WHEREAS, sealed proposals were received by the Town Board for the doing of the work and furnishing of the materials on the 4th day of December, 1950; and

WHEREAS, the Depew Paving Company Inc., submitted a bid in writing to do the work and furnish the necessary materials for the sum of Sixty-nine Thousand, Two hundred dollars (\$69,200.00), that being the lowest bid submitted by any bidder; and

WHEREAS, the bid of Depew Paving Company Inc., to do the work and furnish the necessary materials in connection with the formation of said water district was accepted; and thereafter a contract was entered into between the Depew Paving Company Inc., and the Town of Cheektowaga, New York; and

WHEREAS, the Town Board has authorized a bond issue to raise the necessary money to pay for the improvement in creating the said water district No. 9; and

WHEREAS, the bond issue has not as yet been completed, and there will be a short delay before said bonds will be sold, not exceeding 120 days; and

WHEREAS, Depew Paving Company Inc., has purchased 10,384 feet of 8-inch cast-iron pipe to be used to perform its contract with the Town of Cheektowaga, New York, which said material has been delivered on the job; and

WHEREAS, there is now due and owing Depew Paving Company, Inc., the sum of \$20,840.69 for the materials furnished and labor performed toward the completion of the contract, as is certified by Nussbaumer and Clarke, Consulting Engineers of the Town of Cheektowaga, New York; and

WHEREAS, the Manufacturers and Traders Trust Company has agreed to loan said amount to the Town of Cheektowaga for a period of 120 days with interest at two per cent (2%) per annum upon a note executed by the Supervisor of the Town of Cheektowaga, said note, with interest thereon, to be paid out of the moneys realized from the sale of bonds to be sold to pay for said improvement, the creation of Water District No. 9, Town of Cheektowaga, New York,

BE IT RESOLVED, that the Supervisor of the Town of Cheektowaga be and he is hereby authorized and directed to execute a promissory note to the Manufacturers and Traders Trust Company, to be payable 120 days from its date, to the Manufacturers and Traders Trust Company, 284 Main Street, Buffalo, New York, in the sum of Twenty Thousand, Eight Hundred Forty and Sixty-Nine One-Hundredths Dollars (\$20,840.69), with interest at the rate of Two per cent (2%) per annum. Said note shall provide for its payment out of funds received from the sale of bonds heretofore authorized to be sold in connection with the said Water District No. 9, and the Supervisor of the Town of Cheektowaga, New York, is hereby authorized to pledge the credit of the Town of Cheektowaga, New York, to the payment of said note with interest on its due date and he is further authorized to execute any and all legal documents required by the bank in connection with the borrowing of the sum aforementioned; and

TRICT NO. 9, TOWN OF  
CHEEKTOWAGA, NEW YORK  
ALL THAT TRACT OR PAR-  
CEL OF LAND, situate in the  
Town of Cheektowaga, County of  
Erie and State of New York, and  
being more particularly bounded  
and described as follows:

BEGINNING at a point in the  
center line of Como Park Boule-  
vard at a point 233 feet east of  
the center line of Borden Road;

THENCE, northerly 300 feet on  
a line parallel with the center line  
of Borden Road;

THENCE easterly 1227.72 feet  
on a line parallel with the center  
line of Como Park Boulevard;

THENCE southerly 67 feet on a  
line parallel with the center line of  
Borden Road;

THENCE easterly 1441.96 feet on  
a line parallel with the center line  
of Como Park Boulevard;

THENCE northerly 1027.08 feet  
along a line parallel to the center  
line of Transit Road;

THENCE easterly 200 feet along  
the line parallel to the center line  
of Zurbick Road;

THENCE southerly 1580.08 feet  
on a line parallel with the center  
line of Transit Road;

THENCE westerly on a line par-  
allel with the center line of Como  
Park Boulevard to a point 233  
feet east of the center line of Bor-  
den Road;

THENCE northerly 300 feet to  
the point of beginning  
and,

WHEREAS, the territory here-  
inbefore described is situate en-  
tirely in said Town, outside of any  
incorporated village or city there-  
in,

NOW, THEREFORE,

IT IS ORDERED that the Town  
Board of the Town of Cheektowa-  
ga, New York, meet at the Town  
Hall, corner of Broadway and Un-  
ion Road in the Town of Cheek-  
towaga on the 21st day of May,  
1951, at 7:30 o'clock P. M., East-  
ern Daylight Saving Time, to con-  
sider 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 Cheektowaga  
Times and the Depew Herald and  
Cheektowaga News, newspapers  
having general circulation in the  
territory affected, not less than  
ten (10) nor more than twenty  
(20) days before the date set here-  
in for the hearing aforesaid and  
that copies of this order be posted  
conspicuously in five (5) public  
places within the area where said  
proposed water district extension  
is to be made, not less than ten  
(10) nor more than twenty (20)  
days before said day designated for  
the hearing

Seconded by Councilman Neibert  
and duly put to a vote, which re-  
sulted as follows:

Supervisor Holtz, Absent  
Councilman Nagel, Voting Aye  
Councilman Wroblewski, Voting

Aye  
Councilman Neibert, Voting Aye  
Councilman Bystrak, Absent  
Ayes: 3 Noes: 0 Absent: 2

State of New York  
Erie County  
Office of the Clerk of the  
Town of Cheektowaga — ss:

This is to certify that I, KEN-  
NETH T. HANLEY, Clerk of the  
Town of Cheektowaga, in the said  
County of Erie, have compared the  
foregoing copy of resolution with  
the original resolution now on file  
at this office, and which was  
passed by the Town Board of the  
Town of Cheektowaga in said  
County of Erie, on the 7th day  
of May, 1951, and that the same is  
a correct and true transcript of  
such original resolution and the  
whole thereof

IN WITNESS WHEREOF, I  
have hereunto set my hand and  
affixed the seal of said Town this  
7th day of May, 1951.

KENNETH T. HANLEY,  
(Seal) Clerk of the Town  
Board, Town of  
Cheektowaga, N. Y.

Frank A. Taber, Jr.

being duly sworn, deposes and says that he is the

Publisher of the

Depew Cheektowaga  
Herald and News

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

10th day of May, 1951, and

the last insertion being on the day of

1951, and that not

more than six days intervened between any two publi-

cations thereof.

Frank A. Taber, Jr.

4th day of

1951

Hanley  
Clerk in and for Erie County.

BE IT FURTHER RESOLVED, that the funds received from said notes be immediately paid to Depew Paving Company, Inc., in payment of the money now due and owing it.

Seconded by Councilman Neibert.

CARRIED: AYES: -3-.

UNITED STATES OF AMERICA  
STATE OF NEW YORK  
TOWN OF CHEEKTOWAGA

The Town of Cheektowaga, Erie County, New York, hereby acknowledges itself indebted and for value received promises to pay to the bearer of this note the sum of

TWENTY THOUSAND, EIGHT HUNDRED AND FORTY  
DOLLARS AND SIXTY-NINE CENTS (\$20,840.69).

one hundred twenty (120) days from the date hereof together with interest thereon from the date hereof at the rate of Two Per Cent (2%) per annum, payable at maturity.

Both principal of and interest on this note will be paid in lawful money of the United States of America, at the main office of the Manufacturers and Traders Trust Company, Buffalo, New York.

This note is issued pursuant to the provisions of a resolution duly adopted by the Town Board of the Town of Cheektowaga, New York, at a regular meeting held May 7th, 1951, authorizing the issuance of a note of the Town of Cheektowaga in the sum of Twenty Thousand, Eight Hundred and Forty Dollars and Sixty-Nine Cents (\$20,840.69), to pay an indebtedness to Depew Paving Company, Inc., on a contract entered into by said Town for the furnishing of materials and labor necessary in laying water mains in the area included in Water District No. 9, as is more fully set forth in said resolution of the Town of Cheektowaga adopted May 7, 1951, said note to be paid out of funds received from the sale of bonds as therein provided.

The faith and credit of the Town of Cheektowaga are hereby irrevocably pledged for the punctual payment of the principal of and interest on this note according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution and Statutes of the State of New York to exist, to have happened, and to have been performed precedent to and in the issuance of this note, exist, have happened and have been performed, and that this note, together with all other indebtedness of said Town of Cheektowaga is within every debt and other limit prescribed by the Constitution and laws of such state.

IN WITNESS WHEREOF, the TOWN OF CHEEKTOWAGA, has caused this note to be signed by its Supervisor, and its corporate seal to be hereunto affixed and attested by its Town Clerk, and this note is to be dated as of May 7, 1951.

TOWN OF CHEEKTOWAGA, ERIE COUNTY,  
NEW YORK.

By Benedict T. Holtz  
Supervisor

Attest:

Kenneth T. Hanley  
Town Clerk

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the Erie County Highway Superintendent be requested to install a Boulevard Stop Sign at the corner of Como Park Boulevard and Bennett Road, in the Town of Cheektowaga, New York.

Seconded by Councilman Neibert.

CARRIED: AYES: -3-.

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, the Town Board of the Town of Cheektowaga, New York, on May 20th, 1940, adopted an Ordinance to license coin controlled amusement devices not in violation of the State Law; and

WHEREAS, said Ordinance was amended by the Town Board on the 18th day of July, 1949; and

WHEREAS, the licensing of pinball machines is illegal and in violation of the law,

BE IT RESOLVED, that the Ordinance to license coin controlled amusement devices not in violation of State Law, as amended in so far as it provides for the licensing of pinball amusement games, be repealed; and

BE IT FURTHER RESOLVED, that no application for the licensing of pinball amusement games be accepted by the Town Clerk nor any action taken upon an application except to reject it; and

BE IT FURTHER RESOLVED, that all other provisions of said Ordinance, as amended, remain in full force and effect, in so far as the same relates to the issuance of licenses for coin controlled amusement devices not in violation of State Law; and

BE IT FURTHER RESOLVED, that the licensing of gambling devices, by whatever name called, is hereby prohibited.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -3-.

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the Town Clerk be authorized and directed to issue Building Permits on applications processed by the Petitions Committee on April 21, 1951, April 28, 1951, and May 5th, 1951, after same have been approved by the Building Inspector.

CARRIED: AYES: -3-.

Seconded by Councilman Neibert.

Councilman Neibert presented the following resolution and moved its adoption:

RESOLVED, that the Town Clerk be authorized to purchase from Anthony Taberski, two (2) election booths, completely built in accordance with plans and specifications prepared by the Town Engineer, for the sum of \$1,046.00 each.

Seconded by Councilman Wroblewski

CARRIED: AYES: -3-.

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the Town Clerk be authorized to order two 2500 lumen street lights installed on Smallwood Terrace, from the New York State Gas and Electric Company, said lights to be placed according to plan prepared by said New York State Gas and Electric Company.

Seconded by Councilman Neibert.

CARRIED: AYES: -3-.

Petition presented for the construction of a lateral sanitary sewer in Toelsin Road. Ordered referred to the Assessors and the Town Attorney.

Communication read from the Cheektowaga Zoning Board of Appeals recommending that the Town Board deny the petition of the Hoffeld Estates to rezone from residence to business, part of Lot No. 37, Kensington Avenue, north side, west of Century Road, due to the fact that the business intended for this location would create a traffic hazard and also due to the objections of the neighbors in the vicinity.



On a motion of Councilman Wroblewski, second ed by Councilman Neibert, the petition of the Hoffeld Estates to rezone property on Kensington Avenue, from residence to business was denied.

Communication read from Raymond Miskuf, Adjutant, Cheektowaga Post No. 2429, V.F.W., requesting permission to sell poppies on May 26, 1951. On a motion of Councilman Neibert seconded by Councilman Wroblewski, the request was granted.

Communication read from the County of Erie, Health Department, relating to Refuse Disposal demonstration, on Aero Drive, in the Town of Cheektowaga, was ordered referred to John Eberle, Superintendent of Sanitation.

Communication read from E.B. Franklin, Chief, Flight Operations Division, Department of Commerce, Civil Aeronautics Administration, Washington D.C., relating to low flying planes arriving and departing from the Buffalo Airport. Ordered received and filed.

Communication read from the Erie County Highway Superintendent relating to the installation of a Stop Sign on the south side of William Street, at its intersection with Cayuga Creek Road. Ordered received and filed.

Communication read from Edward Janiak, Town Recreational Director, relating to Flag Raising Ceremonies at George Urban Town Park on May 13, 1951, at 12:45 P.M., in connection with the opening of the Baseball Season in the Town. Ordered received, filed and to attend.

Communication read from John T. Walsh, Attorney at Law, enclosing a copy of proof of claim of Rose M. Langendorfer, residing at No. , Cheektowaga, New York. Ordered referred to the Town Attorney.

Communication read from Steinmiller Construction Company, Inc., by A.H. Steinmiller, relating to Hillside Sub-Division, formerly known as Orchard Hill Extension. Ordered referred to the Town Board and the Town Engineer.

Communication read from the Town Park Home Owners Association, relating to the Town's Clean-Up and Paint-Up campaign. Ordered referred to the Chief of Police, Town Highway Department, Sanitation Department and the Superintendent of Disposal Plant No. 5.

Communication read from Assessors Jerzewski and Schwenk, giving the Town Board a full report on their recent attendance at a school for Assessors at Albany, New York. Ordered received and filed.

Mr. Peter Hunt, , was granted the floor and requested information regarding a petition for a storm sewer to be constructed in the Pine Hill area of the Town.

Mr. Hunt related to the Board that the Supervisor has advised him that the old petition carried insufficient names and that a new petition would have to be circulated.

Mr. Peter Miller, and Mrs. Frank Miller, also spoke in regard to the need of a storm sewer in the Pine Hill area of the Town.

The Board recommended that the Town Engineer be authorized to make a new estimate of the expense to construct said storm sewer and that a new petition should be circulated.

Councilman Neibert requested information in regard to the removing of street car tracks on Genesee Street in the Town of Cheektowaga. Ordered tabled until May 12, 1951.

Councilman Wroblewski moved seconded by Councilman Neibert, that all claims audited at this meeting be paid and that the Town Clerk be authorized and directed to draw orders on the Supervisor for the payment of same.

Orders No. 4353 to No. 4906, inclusive, drawn on the Supervisor.

Councilman Wroblewski moved seconded by Councilman Neibert to adjourn until the 12th day of May, 1951, at 11:00 o'clock A.M., E.D.S.T.

Kenneth T. Hanley

Town Clerk.

SEAL.

*Kenneth T. Hanley*

Cheektowaga, New York  
May 12, 1951.

At a special meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, on the 12th day of May, 1951, at 11:30 o'clock, A.M., E.D.S.T., there were:

PRESENT: Henry Nagel	Councilman
Felix T. Wroblewski	Councilman
Joseph A. Neibert	Councilman
ABSENT: Benedict T. Holtz	Supervisor
Stanley Bystrak	Councilman

On a motion of Councilman Neibert, seconded by Councilman Wroblewski, Councilman Nagel was designated to act as Chairman for this special meeting, due to the absence of Supervisor Holtz.

The Chairman called the special meeting to order.

On a motion of Councilman Neibert, seconded by Councilman Wroblewski, the awarding of the bid for the construction of a lateral sanitary sewer in Darwin Place was deferred until a later date.

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the written bid of Fago Brothers Contracting Company to construct sewer on Commodore Terrace with Item 9 deleted in accordance with plans and specifications prepared by Nussbaumer, Clarke and Velzy, Engineers, for the sum of \$6,825.00 be accepted, and

BE IT FURTHER RESOLVED, that the Engineers and Town Attorney be directed to prepare necessary contract and the Supervisor be authorized to execute said contract on behalf of the Town of Cheektowaga, New York.

Seconded by Councilman Neibert. CARRIED: AYES: -3- NOES: -0-.

Councilman Neibert presented the following resolution and moved its adoption:

RESOLVED, that the Town Clerk be authorized and directed to loan to the Westinghouse Union, 7 Voting Machines, 4 Ballot Boxes, and 3 canvass booths, on May 21 and 22, 1951, said property to be returned to the custody of the Town Clerk on May 23, 1951, in the same condition as when received. The said Union has agreed to provide an experienced mechanic to set-up the machines and has also agreed to pay for any damage done to said machines, ballot boxes and canvass booths.

Seconded by Councilman Wroblewski. CARRIED: AYES: -3- NOES: -0-.

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the New York State Electric and Gas Company be authorized and directed to install a street light on Clinton Street, first pole east of Cochrane Street, (2500 Lumen ).

Seconded by Councilman Neibert. CARRIED: AYES: -3- NOES: -0-.

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the Sub-Division Map of Hillside Sub-Division prepared by Herthe and Sonnenberger, Engineers, dated May 1, 1951, be approved and ordered filed in the Town Clerk's Office.

Seconded by Councilman Neibert. CARRIED: AYES: -3- NOES: -0-.

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the Sub-Division Map of Barbara White Sub-Division, prepared by Herthe and Sonnenberger, Engineers, dated January 30, 1951, be approved and ordered filed in the Town Clerk's Office.

Seconded by Councilman Neibert.

CARRIED: AYES: -3- NOES: -0-.

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the application of Leo Janowski for a leave of absence, with pay, because of sickness be granted, for the period April 26, 1951 through June 15, 1951.

Seconded by Councilman Neibert.

CARRIED: AYES: -3- NOES: -0-.

Councilman Neibert presented the following resolution and moved its adoption:

RESOLVED, that permission be granted to Robert Taylor to construct, at his own expense, an 8-inch sanitary sewer in Baltic Street, commencing at Genesee Street and running northerly a distance of about 220 feet, so as to connect with property belonging to Robert Taylor, to be installed under the supervision of Albert J. Kamm, Town Engineer, and Michael Wagner, Sewer Inspector.

Seconded by Councilman Wroblewski. CARRIED: AYES: -3- NOES: -0-.

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the Chief of Police be authorized and directed to make an investigation for the need of NO PARKING signs on the island side of Ellen Drive, and to report his findings to the Town Board at its next regular meeting to be held on May 21, 1951.

Seconded by Councilman Neibert.

CARRIED: AYES: -3- NOES: -0-.

Communication read from the Zoning Board of Appeals recommending that the following petitions for rezoning be granted;

1- Highview Homes, corner of Harlem Road and Daniel Avenue, from residence to business;

2- Edward L. Miller, Cayuga Road, across from the Twin Coach Company, from residence to first industrial;

3- Fred Ziolkowski, corner of Harlem Road and Parker Street, south west corner, from residence to business;

Ordered referred to the Chairman of the Petitions Committee.

Communication read from Howard A. Davidson, Town Attorney, Town of Lancaster, New York, relating to the changing of the name of William Street in the Town of Cheektowaga. Ordered referred to the Chairman of the Judicial Committee.

Petition presented bearing the names of 12 residents of Long Avenue and Schaedel Avenue, requesting that an investigation be made at the Mill Work Products Company on Long Avenue in the Town of Cheektowaga, to ascertain whether or not the organization are in violation of the Town Zoning Ordinances. Ordered referred to the Chief of Police.

The Chairman authorized the Town Clerk to have the owners of the Millwork Products Company present at the next regular meeting of the Town Board.

On a motion of Councilman Neibert, seconded by Councilman Wroblewski, the special meeting was adjourned.

SEAL.

Kenneth T. Hanley,  
Town Clerk.

Cheektowaga, New York  
May 21, 1951.

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, on the 21st day of May, 1951, at 7:30 o'clock P.M., E.D.S.T., there were:

PRESENT: Benedict T. Holtz	Supervisor
Henry Nagel	Councilman
Felix T. Wroblewski	Councilman
Joseph A. Neibert	Councilman

ABSENT: Stanley Bystrak	Councilman
-------------------------	------------

The Chairman called the meeting to order.

Without any objections the reading of the minutes of the previous meeting were dispensed with until a later date.

This being the time and the place advertised for a public hearing on the proposed extension of Water District No. 9 in the Town of Cheektowaga, the Supervisor directed the Town Clerk to present proof of publication of the Notice of Hearing.

The Town Clerk presented proof that such notice has been duly published, and upon 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 appeared in opposition to the proposed extension of Water District No. 9, and no person appeared in favor thereof.

Councilman Nagel presented the following resolution and moved its adoption:

RESOLVED, that the Town Attorney be authorized and directed to draw up a resolution creating the extension of Water District No. 9, in the Town of Cheektowaga, New York.

Hereto attached is a copy of notice published in the Cheektowaga Times and the Depew Herald;

**NOTICE OF HEARING  
Water District 9 Extension**

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 7th day of May, 1951, at 2:30 o'clock P.M., E.D.S.T., there were:

**PRESENT:**

Henry J. Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman

**ABSENT:**

Benedict T. Holtz, Supervisor  
Stanley Bystrak, Councilman  
Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS a petition for the extension of Water District No. 9 in the Town of Cheektowaga, New York pursuant to the provisions of Article 12 of the Town Law, was presented to the Board on the 4th day of May, 1951; and

WHEREAS, it appears to the Town Board that the above petition was 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 area proposed to be annexed to Water District No. 9; and also signed by non-resident taxpayers owning taxable real property aggregating more than one-half of the existing valuation of all the taxable real property situate in the area where said water district extension is proposed to be made, owned by non-resident taxpayers; and

WHEREAS, said petition appears to have been signed and acknowledged by resident taxpayers owning taxable real property aggregating more than one-half of the entire frontage of boundaries on the both sides of the highways within the said proposed water district extension, and is also signed by non-resident taxpayers owning at least one-half of the entire frontage or boundaries on the both sides of the highways within the said proposed water district extension; and

WHEREAS said petition is accompanied by a map prepared by Newell L. Nussbaumer and Irving Clarke, Engineers, duly licensed by the State of New York, and Albert J. Kamm, Town Engineer of the Town of Cheektowaga, showing the boundaries of the said proposed water district extension; and

WHEREAS, the proposed water district extension is described in said petition as follows:

**DESCRIPTION OF PROPOSED  
EXTENSION OF  
BORDEN ROAD WATER  
DISTRICT No. 9  
TOWN OF CHEEKTOWAGA,  
NEW YORK**

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, and State of New York, and being more particularly bounded and described as follows:

BEGINNING at a point in the center line of Como Park Boulevard at a point 233 feet east of the center line of Borden Road;

THENCE northerly 300 feet on a line parallel with the center line of Borden Road;

THENCE easterly 1227.72 feet on

a line parallel with the center line of Como Park Boulevard;

THENCE southerly 67 feet on a line parallel with the center line of Borden Road;

THENCE easterly 1441.98 feet on a line parallel with the center line of Como Park Boulevard;

THENCE northerly 1027.08 feet along a line parallel to the center line of Transit Road;

THENCE easterly 200 feet along the line parallel to the center line of Zurbrick Road;

THENCE southerly 1560.08 feet on a line parallel with the center line of Transit Road;

THENCE westerly on a line parallel with the center line of Como Park Boulevard to a point 233 feet east of the center line of Borden Road;

THENCE northerly 300 feet to the point of beginning.

and,

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 New York, meet at the Town Hall, corner of Broadway and Union Road in the Town of Cheektowaga on the 21st day of May, 1951, at 7:30 o'clock P.M., E.D.S.T., 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 Cheektowaga Times and the Depew Herald, newspapers having general circulation in the territory affected, 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 (5) public places within the area where said proposed water district extension is to be made, not less than ten (10) nor more than twenty (20) days before said day designated for the hearing.

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

Supervisor Holtz, Absent.  
Councilman Nagel, voting Aye.  
Councilman Wroblewski, voting Aye.  
Councilman Neibert, voting Aye.  
Councilman Bystrak, Absent.  
AYES: 3 NOES: 0 ABSENT: 2

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

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 7th day of May, 1951, and that the same is a correct and true transcript of such original resolution and the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed this seal of said Town this 7th day of May, 1951.

KENNETH T. HANLEY  
Clerk of the Town Board,  
Town of Cheektowaga, N. Y.

(SEAL)

of Cheekto-

ng duly sworn,

ublisher of the

newspaper pub-

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the week:

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19.....

ty, N. Y.

YORK

STATE OF NEW YORK } ss:  
COUNTY OF ERIE }

NOTICE

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 7th day of May, 1951, at 2:30 o'clock P.M., Eastern Daylight Saving Time, there were:

PRESENT:  
Henry J. Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman

ABSENT:  
Benedict T. Holtz, Supervisor  
Stanley Bystrak, Councilman  
Councilman Wroblewski present

Ayes: 3 Noes: 0 Absent: 2

State of New York  
Erie County  
Office of the Clerk of the Town of Cheektowaga — ss:  
This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 7th day of May, 1951, and that the same is a correct and true transcript of such original resolution and the whole thereof.  
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 7th day of May, 1951.  
KENNETH T. HANLEY,  
(Seal) Clerk of the Town Board, Town of Cheektowaga, N. Y.

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 the week, the first insertion being on the 10th day of May, 1951, and the last insertion being on the day of 1951, and that not more than six days intervened between any two publications thereof.

Frank A. Taber, Jr.

June 19 51  
Kenneth T. Hanley  
Notary Public in and for Erie County.  
hn-49 5803

STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA

Willard C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for One week; first publication MAY 10 1951; last publication MAY 10 1951; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this:.....

day of MAY 10 1951, 19.....

*Eve J. Allis*

Notary Public in and for Erie County, N. Y.

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1953  
Registered No. 5029



STATE OF NEW YORK } ss.  
COUNTY OF ERIE }

NOTICE

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 7th day of May, 1951, at 2:30 o'clock P.M., Eastern Daylight Saving Time, there were:

PRESENT:

Henry J. Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman

ABSENT:

Benedict T. Holtz, Supervisor  
Stanley Bystrak, Councilman  
Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, a petition for the extension of Water District No. 9 in the Town of Cheektowaga, New York, pursuant to the provisions of Article 12 of the Town Law, was presented to the Board on the 4th day of May, 1951; and

WHEREAS, it appears to the Town Board that the above petition was duly signed and acknowledged, in the same manner as a deed, to be recorded by resident taxpayers owning taxable real property aggregating more than 1/4 of the assessed valuation of all the taxable real property situate in the area proposed to be annexed to Water District No 9; and also signed by non-resident taxpayers

owning taxable real property aggregating more than 1/4 of the existing valuation of all the taxable real property situate in the area where said water district extension is proposed to be made, owned by nonresident taxpayers; and

WHEREAS, said petition appears to have been signed and acknowledged by resident taxpayers owning taxable real property aggregating more than 1/4 of the entire frontage of boundaries on the both sides of the highways within the said proposed water district extension, and is also signed by non-resident taxpayers owning at least 1/4 of the entire frontage or boundaries on the both sides of the highways within the said proposed water district extension; and

WHEREAS, said petition is accompanied by a map prepared by Newell L. Nussbaumer and Irving Clarke, Engineers duly licensed by the State of New York, and Albert J. Kamm, Town Engineer of the Town of Cheektowaga, showing the boundaries of the said proposed water district extension; and

WHEREAS, the proposed water district extension is described in said petition as follows:

DESCRIPTION OF PROPOSED EXTENSION

OF BORDEN ROAD WATER DISTRICT NO. 9, TOWN OF CHEEKTOWAGA, NEW YORK

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, and being more particularly bounded and described as follows:

BEGINNING at a point in the center line of Como Park Boulevard at a point 233 feet east of the center line of Borden Road;

THENCE, northerly 300 feet on a line parallel with the center line of Borden Road;

THENCE easterly 1227.72 feet on a line parallel with the center line of Como Park Boulevard;

THENCE southerly 67 feet on a line parallel with the center line of Borden Road;

THENCE easterly 1441.98 feet on a line parallel with the center line of Como Park Boulevard;

THENCE northerly 1027.08 feet along a line parallel to the center line of Transit Road;

THENCE easterly 200 feet along the line parallel to the center line of Zurbrick Road;

THENCE southerly 1560.08 feet on a line parallel with the center line of Transit Road;

THENCE westerly on a line parallel with the center line of Como Park Boulevard to a point 233 feet east of the center line of Borden Road;

THENCE northerly 300 feet to the point of beginning.

and, WHEREAS, the territory hereinbefore described is situate 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, New York, meet at the Town Hall, corner of Broadway and Un-

being duly sworn, deposes and says that he is the

*Frank A. Taber Jr.*  
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

*10th* day of *May*, 19*51*, 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. Taber Jr.*

day of

19*51*

in and for Erie County.

STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA

Willard C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one week; first publication ..... MAY 10 1951 .....; last publication ..... MAY 10 1951 .....; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this:.....

day of ..... MAY 10 1951 ..... 19.....

*Eve J. Allis*

Notary Public in and for Erie County, N. Y.

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1955  
Registered No. 5029

STATE OF NEW YORK  
COUNTY OF ERIE

ss:

a line parallel with the center line of Borden Road;

THENCE easterly 1227.72 feet on a line parallel with the center line of Como Park Boulevard;

THENCE southerly 67 feet on a line parallel with the center line of Borden Road;

THENCE easterly 1441.98 feet on a line parallel with the center line of Como Park Boulevard;

THENCE northerly 1027.08 feet along a line parallel to the center line of Transit Road;

THENCE easterly 200 feet along the line parallel to the center line of Zurbrick Road;

THENCE southerly 1560.08 feet on a line parallel with the center line of Transit Road;

THENCE westerly on a line parallel with the center line of Como Park Boulevard to a point 233 feet east of the center line of Borden Road;

THENCE northerly 300 feet to the point of beginning and,

WHEREAS, the territory hereinbefore described is situate 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, New York, meet at the Town Hall, corner of Broadway and Union Road in the Town of Cheektowaga on the 21st day of May, 1951, at 7:30 o'clock P. M., Eastern Daylight Saving 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 Cheektowaga Times and the Depew Herald and Cheektowaga News, newspapers having general circulation in the territory affected, 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 (5) public places within the area where said proposed water district extension is to be made, not less than ten (10) nor more than twenty (20) days before said day designated for the hearing

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

Supervisor Holtz, Absent  
Councilman Nagel, Voting Aye  
Councilman Wroblewski, Voting

Aye

Councilman Neibert, Voting Aye  
Councilman Bystrak, Absent  
Ayes: 3 Noes: 0 Absent: 2

State of New York  
Erie County  
Office of the Clerk of the  
Town of Cheektowaga — ss:

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 7th day of May, 1951, and that the same is a correct and true transcript of such original resolution and the whole thereof

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 7th day of May, 1951.

(Seal) KENNETH T. HANLEY,  
Clerk of the Town  
Board, Town of  
Cheektowaga, N. Y.

*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 *10th* day of *May*, 19*51*, 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.*

*10* day of

19*51*

*enley*

public in and for Erie County.

Petition presented by the residents of Peinkofer Drive requesting the installation of street lights , from Beach Road to Union Road, wooden poles, one line over-head conduit. Ordered referred to Councilman Bystrak, Chairman of the Utilities Committee.

Communication read from Edmond K. Benson, 2nd Vice Commander, Catholic War Veterans Post No. 1479, requesting permission to sell poppies in front of Our Lady Help of Christians Church on Sunday May 27, 1951. On a motion of Councilman Wroblewski, seconded by Councilman Neibert the request was granted.

Communication read from the Association of Towns, of the State of New York, relating to School for Welfare and Service Officers at Geneva, New York, on June 13th, 14th and 15th , 1951, and a school for Superintendent of Highways to be held at Ithaca, New York, on June 18th, 19th, and 20th, 1951. Ordered referred to the Department Heads involved.

Communication read from Charles G. Hanson, Secretary, Board of Fire Commissioners, Cleveland Hill Fire District No. 6, relating to the establishment of fire lanes on Cleveland Drive. Ordered referred to the Town Board for study and investigation.

Communication read from Kenneth T. Kitzinger, Attorney at Law, relating to the operation of a mill-working plant on Long Avenue, in the Town of Cheektowaga, claiming that the firm is not violating the Zoning Ordinances of the Town by the operation of said mill-work plant.

Complaints heard from a delegation appearing against the firm included that of Jacob Oberst Jr., , who said a double planer installed recently requires a motor of a horsepower which violates the light industry ordinance.

Mrs. Charles Yehle, complained of noise up to and beyond 11 o'clock at night.

Joseph Beier, complained that sawdust covered the homes in the neighborhood and wood particles dropped on the street.

Chief of Police Marynowski reported that an investigation April 25, 1951, showed terrific interference with radio reception in a radius of 300 feet of the plant, and homes in the area were coated with a very fine wood dust.

At the request of Supervisor Holtz the Chief of Police was directed to give a written report to the Town Board of his findings in the vicinity of the Mill Working Plant, and the matter was also referred to the Town Attorney.

Communication read from the Board of Fire Commissioners of the U-Crest Fire District No. 4, relating to the construction of a bridge over the creek and recommended that such bridge be constructed on Eastland Parkway, south of George Urban Boulevard. Ordered referred to the Town Board for further study by Supervisor Holtz.

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, a written petition was duly filed with this Board for the improvement of both sides of Toelsin Road by the construction of a lateral sewer in said highway, to wit:

THAT PORTION OF SAID TOELSIN ROAD  
EXTENDING FROM ORIOLE PLACE, SOUTH,  
TO GEORGE URBAN BOULEVARD.

which sewer shall be so constructed to serve the properties on both side of said public highway; and

WHEREAS, it duly appears that such petition has been duly signed by owners of real estate fronting or abutting on both sides of said public highway situate between the points aforesaid owning at least one-half of the frontage or bounds on both sides of the public highway to be improved as aforesaid, and was signed by resident owners residing along said highway proposed to be improved, owning not less than one-half of the aggregate frontage owned by resident owners; and

WHEREAS, such petition was duly acknowledged or proved by all the signers in the same manner as a deed to be recorded; and

WHEREAS, the maximum amount proposed to be expended for the improvement of said highway as stated in the petition is the sum of \$5,000.00;

NOW THEREFORE, BE IT RESOLVED, pursuant to the provisions of Section 199 of the Town Law of the State of New York, it is hereby

ORDERED, that the Town Board of the Town of Cheektowaga, Erie County, New York, shall meet at the Town Hall, corner of Broadway and Union Road in said Town, on the 4th day of June, 1951, at 2:30 o'clock P.M., E.D.S.T., for the purpose of considering the said petition and hearing of persons interested in the subject thereof concerning the same; and be it

FURTHER ORDERED, that the Town Clerk be and he is hereby ORDERED AND DIRECTED to publish a certified copy of this resolution in the Cheektowaga Times, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that on or before said date he post conspicuously of cause to be posted conspicuously certified copies of this order in five (5) public places along the said portion of said highway to be improved.

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

Benedict T. Holtz	Voting AYE
Henry Nagel	Voting AYE
Felix T. Wroblewski	Voting AYE
Joseph A. Neibert	Voting AYE
Stanley Bystrak	ABSENT

CARRIED: AYES: -4-

NOES: -0-

ABSENT: -1-

Posted as follows on the 24th day of May, 1951;

Telephone Pole No. N.M. 17, Toelsin Road;  
 Telephone Pole No. N.M. 25, Toelsin Road;  
 Telephone Pole No. N.M. 37, Toelsin Road;  
 Telephone Pole No. N.M. 97, Toelsin Road;  
 Post in front of No. 82 Toelsin Road;  
 Post in front of No. 52 Toelsin Road;

Hereto attached is a copy of notice published in the Cheektowaga Times;

**NOTICE OF HEARING**

**Sanitary Sewer Construction**

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 21st day of May, 1951, at 7:30 o'clock P.M., Eastern Daylight Saving Time, there were:

**PRESENT:**

Benedict T. Holtz, Supervisor  
Henry J. Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman

**ABSENT:**

Stanley Bystrak, Councilman  
Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, a written petition was duly filed with this Board for the improvement of both sides of Toelsin Road by the construction of a lateral sewer in said highway, to wit:

That portion of said Toelsin Road extending from Oriole Place, south, to George Urban Boulevard, which sewer shall be so constructed to serve the properties of both sides of said public highway; and

WHEREAS, it duly appears that such petition has been duly signed by owners of real estate fronting or abutting on the both sides of said public highway situate between the points aforesaid owning at least one-half of the frontage or bounds on both sides of the public highway to be improved as aforesaid, and was signed by resident owners residing along said highway proposed to be improved, owning not less than one-half of the aggregate frontage owned by resident owners; and

WHEREAS, such petition was duly acknowledged or proved by all the signers in the same manner as a deed to be recorded; and

WHEREAS, the maximum amount proposed to be expended for the improvement of said highway as stated in the petition is the sum of \$5,000.00;

**NOW, THEREFORE,**

**BE IT RESOLVED,** pursuant to the provisions of Section 199 of the Town Law of the State of New York, it is hereby

**ORDERED,** that the Town Board of the Town of Cheektowaga, Erie County, New York, shall meet at the Town Hall, corner of Broadway and Union Road in said Town, on the 4th day of June, 1951, at 2:30 o'clock P.M., Eastern Daylight Saving Time, for the purpose of considering the said petition and hearing of persons interested in the subject thereof concerning the same; and be it

**FURTHER ORDERED,** that the Town Clerk be and he is hereby **ORDERED and DIRECTED** to publish a certified copy of this resolution and order in the **CHEEKTOWAGA TIMES** not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that on or before said date he post conspicuously or cause to be posted conspicuously certified copies of this order in five (5) public places along the said portion of said highway to be improved.

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

Supervisor Holtz, voting Aye.  
Councilman Nagel, voting Aye.  
Councilman Wroblewski, voting Aye.  
Councilman Bystrak, absent.  
Councilman Neibert, voting Aye.

AYES: 4 NOES: 0 ABSENT: 1

STATE OF NEW YORK  
ERIE COUNTY  
OFFICE OF THE CLERK SS.  
OF THE TOWN OF  
CHEEKTOWAGA

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 21st day of May, 1951, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 21st day of May, 1951.

KENNETH T. HANLEY,  
Clerk of the Town Board,  
Town of Cheektowaga, N. Y.  
(SEAL) May 21

STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA } ss.

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times; a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks; first publication MAY 24 1951; last publication MAY 24 1951; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of MAY 24 1951, 19.....

*Eve J. Allis*

Notary Public in and for Erie County, N. Y.

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1953  
Registered No. 5029

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board, on the 3rd day of April, 1950, held a public hearing on the improvement in Homesgarth Avenue, in the Town of Cheektowaga, New York, by the construction of a lateral sewer in said highway, and heard all persons interested in the subject thereof;

NOW, THEREFORE, BE IT RESOLVED, that this Town Board did thereby decide, at such public hearing and upon the evidence given thereat, that it is in the public interest to improve Homesgarth Avenue by the construction of a lateral sewer in said highway as hereinafter described, and

BE IT FURTHER RESOLVED, that Nussbaumer, Clarke and Velzy, consulting engineers for the Town of Cheektowaga, be and they hereby are directed to prepare definite plans and specifications and to 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 required to be performed;

From Maplevue Road to Roycroft Boulevard, on both sides of the highway, for the entire length of the street.

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

Benedict T. Holtz	Voting	AYE
Henry Nagel	Voting	AYE
Felix T. Wroblewski	Voting	AYE
Joseph A. Neibert	Voting	AYE
Stanley Bystrak		ABSENT

CARRIED: AYES: -4-

NOES: -0-

ABSENT: -1-.

Councilman Nagel presented 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 Homesgarth Avenue, to wit: the construction of a lateral sewer in said highway from the highway known as Maplevue Road to Roycroft Boulevard, on both sides of the highway, for the entire length of the street; and

WHEREAS, this Board has heretofore directed Newell L. Nussbaumer and Irving Clarke, doing business as Nussbaumer and 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 improvement in the sum of Seven Thousand Dollars (\$7,000.00) be and the same hereby is approved; and,

BE IT RESOLVED, that sealed proposal be invited for the furnishing of labor and materials necessary for the doing of the work for the construction of said improvement in Homesgarth Avenue in accordance with said plans, specifications, estimate and proposed contract heretofore approved, by the publication of notice thereof at least once in the Cheektowaga Times, the official newspaper 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 Three Hundred and Fifty Dollars (\$350.00), 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 Three Hundred and Fifty Dollars (\$350.00), 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 4th day of June, 1951, at 2:30 o'clock P.M., E.D.S.T.; and

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



#### 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 4th day of June, 1951, at 2:30 o'clock P.M., E. D. S. 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 Homestead Avenue, to wit: the construction of a lateral sewer in said highway from Mapleview Road to Roycroft Boulevard, on both sides of the highway, for the entire length of the street, 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 and 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, 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 condition within thirty days following the award of the contract or the rejection of bid of such bidder, 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 Three Hundred and Fifty Dollars (\$350.00), payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga, or a bond with sufficient sureties to be approved by the Supervisor in a penal sum of Three Hundred and Fifty Dollars (\$350.00), 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 reserves 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.

KENNETH T. HANLEY,

Town Clerk.

Dated: May 21, 1951.

May 24



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

Benedict T. Holtz	Voting AYE
Henry Nagel	Voting AYE
Felix T. Wroblewski	Voting AYE
Joseph A. Neibert	Voting AYE
Stanley Bystrak	ABSENT

CARRIED: AYES: -4-

NOES: -0-

ABSENT: -1-

Posted as follows on the 24th day of May, 1951;

U-Crest Fire House, Evergreen Street and Clover Place;  
Telephone Pole No. 415, Harlem Road and Cleveland Drive;  
Pine Hill Fire House, Genesee Street and Normandy Avenue;  
Rescue Fire House, Pine Ridge Road;  
Town Hall Bulletin Board;

Hereto is a copy of notice published in the Cheektowaga Times.

#### 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 4th day of June, 1951, at 2:30 o'clock P.M., E. D. S. 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 lateral sewer in said highway from Maplevue Road to Roycroft Boulevard, on both sides of the highway, for the entire length of the street, 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 and 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, 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 condition within thirty days following the award of the contract or the rejection of bid of such bidder, 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 Three Hundred and Fifty Dollars (\$350.00), payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga, or a bond with sufficient sureties to be approved by the Supervisor in a penal sum of Three Hundred and Fifty Dollars (\$350.00), 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 reserves 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.

KENNETH T. HANLEY,  
Town Clerk.

Dated: May 21, 1951. May 24

STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA } ss.

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks; first publication MAY 24 1951; last publication MAY 24 1951; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of MAY 24 1951, 19.....

*Eve J. Allis*

Notary Public in and for Erie County, N. Y.

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1953  
Registered No. 5029

Councilman Neibert presented the following resolution and moved its adoption:

BOND RESOLUTION DATED MAY 21, 1951, AUTHORIZING THE ISSUANCE OF \$10,500 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE CONSTRUCTION OF A LATERAL SEWER IN COMMODORE TERRACE.

WHEREAS, Sewer District No. 5, hereinafter referred to, in a sewer district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town, pursuant to and in accordance with the provisions of the Town Law of New York, and said Sewer District has constructed and now maintains a trunk system of sewers in said District, in accordance with Article 12 of the Town Law of New York, and the lateral sewer hereinafter described is to be connected with said trunk system of sewers and will be entirely within said district, and the purpose, hereinafter described, is a special improvement authorized by said Article 12: NOW, THEREFORE,

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

Section 1. In order to finance the specific object or purpose, hereinafter described, the Town of Cheektowaga, in the County of Erie, shall issue its Serial Bonds of the aggregate principal amount of \$10,500, pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose ( hereinafter referred to as "purpose") to be financed pursuant to this resolution is the construction of a lateral sanitary sewer in Commodore Terrace extending from the south line of Huth Road to a point in Seaton Road and from such point to the existing sewer in the center line of Woodridge Avenue and Seaton Avenue, in accordance with a resolution adopted by the Town Board of said Town of April 2, 1951.

Section 3. The expense of making the improvement described in Section 2 of this resolution shall be borne by local assessment upon the several lots and parcels of land which the Town Board shall determine and specify to be especially benefited by such improvement. An amount sufficient to pay the principal of and interest on said Serial Bonds, as the same shall become due, shall be annually apportioned and assessed upon the several lots and parcels of land especially benefited by such improvement, in proportion to the amount of benefit which such improvement shall confer upon the same, in accordance with Subdivision 2 of Section 231 of the Town Law of New York.

Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board, is \$10,500 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

Section 5. It is hereby determined that said purpose is an object or purpose described in Subdivision 4 of Paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is thirty years.

Section 6. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of five years.

Section 7. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution of New York.

Section 8. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the "Cheektowaga Times" official newspaper of the Town of Cheektowaga, a newspaper published and having a general circulation in said Town.

Section 9. This resolution shall take effect immediately upon its adoption:

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

Benedict T. Holtz	Voting AYE
Henry Nagel	Voting AYE
Felix T. Wroblewski	Voting AYE
Joseph A. Neibert	Voting AYE
Stanley Bystrak	ABSENT

CARRIED: AYES: -4-

NOES: -0-

ABSENT: -1-

Councilman Neibert presented the following resolution and moved its adoption:

BOND RESOLUTION DATED MAY 21, 1951, AUTHORIZING THE ISSUANCE OF \$15,000 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE CONSTRUCTION OF A LATERAL SEWER IN DARWIN DRIVE.

WHEREAS, Sewer District No. 5, hereinafter referred to, in a sewer district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town, pursuant to and in accordance with the provisions of the Town Law of New York, and said Sewer District has constructed and now maintains a trunk system of sewers in said District, in accordance with Article 12 of the Town Law of New York, and the lateral sewer hereinafter described is to be connected with said trunk system of sewers and will be entirely within said District, and the purpose, hereinafter described, is a special improvement authorized by said Article 12: NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Cheektowaga, in the County of Erie, as follows:

Section 1. In order to finance the specific object or purpose, hereinafter described, the Town of Cheektowaga, in the County of Erie, shall issue its Serial Bonds of the aggregate principal amount of \$15,000, pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the construction of a lateral sanitary sewer in Darwin Drive commencing at the intersection of Cleveland Drive and Darwin Drive at the existing sewer and extending northerly along the center line of Darwin Drive to Amherst Town Line, in accordance with a resolution adopted by the Town Board of said Town on April 2, 1951.

Section 3. The expense of making the improvement described in Section 2 of this resolution shall be borne by local assessment upon the several lots and parcels of land which the Town Board shall determine and specify to be especially benefited by such improvement, An amount sufficient to pay the principal of and interest on said Serial Bonds, as the same shall become due, shall be annually apportioned and assessed upon the several lots and parcels of land especially benefited by such improvement, in proportion to the amount of benefit which such improvement shall confer upon the same, in accordance with Subdivision 2 of Section 231 of the Town Law of New York.

Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board, is \$15,000 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

Section 5. It is hereby determined that said purpose is an object or purpose described in Subdivision 4 of Paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is thirty years.

Section 6. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of five years.

Section 7. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution of New York.

Section 8. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the "Cheektowaga Times" official newspaper of the Town of Cheektowaga, New York, a newspaper published and having a general circulation in said Town.

Section 9. This resolution shall take effect immediately upon its adoption.

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

Benedict T. Holtz	Voting AYE
Henry Nagel	Voting AYE
Felix T. Wroblewski	Voting AYE
Joseph A. Neibert	Voting AYE
Stanley Bystrak	ABSENT

CARRIED: AYES: -4- NOES: -0- ABSENT: -1-

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, the Bond Resolutions hereinafter referred to have taken effect in accordance with law and the Town Board desires to make provision for the issuance of the bonds authorized by said Bond Resolutions:

NOW, THEREFORE,

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

(1) Bonds of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$10,500 shall be issued pursuant to the bond resolution entitled "Bond Resolution dated May 21, 1951, authorizing the issuance of \$10,500 Serial Bonds of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law, to finance the construction of a lateral sewer in Commodore Terrace", which was adopted by the Town Board on May 21, 1951. Said bonds shall be designated "Serial Lateral Sewer Bonds, Series A". Said bonds shall consist of one bond of the denomination of \$500 numbered 1, and ten bonds of the denomination of \$1,000 each, numbered from 2 to 11, inclusive, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on April 1st in each year as follows, viz.: \$2,500 in 1952 and \$2,000 in each of the years 1953 and 1956, inclusive.

(2) Bonds of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$15,000 shall be issued pursuant to the bond resolution entitled "Bond Resolution : Dated May 21, 1951, authorizing the issuance of \$15,000 Serial Bonds of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law, to finance the construction of a lateral sewer in Darwin Drive", which was adopted by the Town Board on May 21, 1951. Said bonds shall be designated "Serial Lateral Sewer Bonds, Series B". Said bonds shall consist of fifteen bonds of the denomination of \$1,000 each, numbered from 1 to 15, inclusive, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on April 1st in each year as follows, viz.: \$3,000 in each of the years 1952 to 1956, inclusive.

(3) All of said bonds shall be dated April 1, 1951 and shall bear interest from their date at a rate which shall not exceed five per centum (5%) per annum. Such interest shall be payable semi-annually on April 1st and October 1st.

(4) Both principal of and interest on said bonds shall be payable at the Manufacturers and Traders Trust Company, in Buffalo, New York, in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts.

(5) Each of said bonds shall be payable to bearer with coupons attached for the payment of interest to bearer and such bond shall be convertible into a registered bond. Each of said bonds shall be executed by the Town Supervisor of said Town and shall be attested by the Town Clerk of said Town. Each of said bonds shall be sealed with the seal of said Town. Each of the interest coupons to be attached to said bonds shall be authenticated by the facsimile signature of said Town Supervisor.

(6) The Power to prescribe the terms, form and contents of said Serial Bonds, subject to the provisions of this resolution, and all powers and duties pertaining or incidental to the sale and issuance of said Serial Bonds, are hereby delegated to the Town Supervisor. Said bonds shall bear interest at the rate specified in the proposal to purchase said bonds which shall be accepted by the Town Supervisor at the public sale of said bonds.

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

Benedict T. Holtz	Voting AYE
Henry Nagel	Voting AYE
Felix T. Wroblewski	Voting AYE
Joseph A. Neibert	Voting AYE
Stanley Bystrak	ABSENT

CARRIED: AYES: -4-

NOES: -0-

ABSENT: -1-

Hereto attached is a copy of notices published in the Cheektowaga Times, the official paper of the Town of Cheektowaga, New York;

STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA

38.

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks:  
first publication MAY 24 1951  
last publication MAY 24 1951;  
and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of MAY 24 1951, 19.....

*Eve J. Allis*

Notary Public in and for Erie County, N. Y.

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1953  
Registered No. 5029

STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA } ss.

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 0.712 weeks; first publication MAY 24 1951; last publication MAY 24 1951; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of MAY 24 1951, 19.....

*Eve J. Allis*

Notary Public in and for Erie County, N. Y.

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1953  
Registered No. 5029

**BOND RESOLUTION**  
BOND RESOLUTION DATED MAY 21, 1951, AUTHORIZING THE ISSUANCE OF \$10,500 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE CONSTRUCTION OF A LATERAL SEWER IN COMMODORE TERRACE.

WHEREAS Sewer District No. 5, hereinafter referred to, is a sewer district of the Town of Cheektowaga in the County of Erie, duly established by the Town Board of said Town, pursuant to and in accordance with the provisions of the Town Law of New York, and said Sewer District has constructed and now maintains a trunk system of sewers in said District, in accordance with Article 12 of the Town Law of New York, and the lateral sewer hereinafter described is to be connected with said trunk system of sewers and will be entirely within said District, and the purpose, hereinafter described, is a special improvement authorized by said Article 12; NOW, THEREFORE,

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

Section 1. In order to finance the specific object or purpose, hereinafter described, the Town of Cheektowaga, in the County of Erie, shall issue its Serial Bonds of the aggregate principal amount of \$10,500, pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the construction of a lateral sanitary sewer in Commodore Terrace extending from the south line of Huth Road to a point in Seaton Road and from such point to the existing sewer in the center line of Woodridge Avenue and Seaton Avenue, in accordance with a resolution adopted by the Town Board of said Town on April 2, 1951.

Section 3. The expense of making the improvement described in Section 2 of this resolution shall be borne by local assessment upon the several lots and parcels of land which the Town Board shall determine and specify to be especially benefitted by such improvement. An amount sufficient to pay the principal of and interest on said Serial Bonds, as the same shall become due, shall be annually apportioned and assessed upon the several lots and parcels of land especially benefitted by such improvement, in proportion to the amount of benefit which such improvement shall confer upon the same, in accordance with Subdivision 2 of Section 231 of the Town Law of New York.

Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board, is \$10,500 and (b) no money

has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefitted real property in an area less than the area of said Town.

Section 5. It is hereby determined that said purpose is an object or purpose described in Subdivision 4 of Paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is thirty years.

Section 6. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of five years.

Section 7. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution of New York.

Section 8. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the "Cheektowaga Times" official newspaper of the Town of Cheektowaga, New York, a newspaper published and having a general circulation in said Town.

Section 9. This resolution shall take effect immediately upon its adoption.

The bond resolution published herewith has been adopted on May 21, 1951, and the validity of the obligations authorized by such bond resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution of New York.

KENNETH T. HANLEY  
Town Clerk  
May 24

NEW YORK  
OF ERIE  
CHEEKTOWAGA } ss.

C. ALLIS, of the Town of Cheektowaga, said County of Erie, being duly sworn,

and says that he is the publisher of the

Cheektowaga Times, a public newspaper published

in said Town; that the notice, of

annexed printed slip, taken from said

is a copy, was inserted and published

per once a week for one weeks:

on MAY 24 1951

on MAY 24 1951

no more than six days intervened between

publications.

*Willard C. Allis*

before me this.....

MAY 24 1951, 19.....

*W. J. Allis*

Notary Public in and for Erie County, N. Y.

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1953  
Registered No. 5029



**BOND RESOLUTION**  
**BOND RESOLUTION DATED**  
**MAY 21, 1951, AUTHORIZING**  
**THE ISSUANCE OF \$15,000**  
**SERIAL BONDS OF THE TOWN**  
**OF CHEEKTOWAGA, IN THE**  
**COUNTY OF ERIE, PURSUANT**  
**TO THE LOCAL FINANCE LAW,**  
**TO FINANCE THE CONSTRU-**  
**CTION OF A LATERAL SEWER IN**  
**DARWIN DRIVE.**

WHEREAS Sewer District No. 5. hereinafter referred to, is a sewer district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town, pursuant to and in accordance with the provisions of the Town Law of New York, and said Sewer District has constructed and now maintains a trunk system of sewers in said District, in accordance with Article 12 of the Town Law of New York, and the lateral sewer hereinafter described is to be connected with said trunk system of sewers and will be entirely within said District, and the purpose, hereinafter described, is a special improvement authorized by said Article 12; NOW, THEREFORE,

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

Section 1. In order to finance the specific object or purpose, hereinafter described, the Town of Cheektowaga, in the County of Erie, shall issue its Serial Bonds of the aggregate principal amount of \$15,000, pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the construction of a lateral sanitary sewer in Darwin Drive commencing at the intersection of Cleveland Drive and Darwin Drive at the existing sewer and extending northerly along the center line of Darwin Drive to Amherst Town Line in accordance with a resolution adopted by the Town Board of said Town on April 2, 1951.

Section 3. The expense of making the improvement described in Section 2 of this resolution shall be borne by local assessment upon the several lots and parcels of land which the Town Board shall determine and specify to be especially benefitted by such improvement. An amount sufficient to pay the principal of and interest on said Serial Bonds, as the same shall become due, shall be annually apportioned and assessed upon the several lots and parcels of land especially benefitted by such improvement, in proportion to the amount of benefit which such improvement shall confer upon the same, in accordance with Subdivision 2 of Section 231 of the Town Law of New York.

Section 4. It is hereby stated that: (a) the maximum cost of said purpose, as estimated by the Town Board, is \$15,000 and (b) no money

has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefitted real property in an area less than the area of said Town.

Section 5. It is hereby determined that said purpose is an object or purpose described in Subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is thirty years.

Section 6. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of five years.

Section 7. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution of New York.

Section 8. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the "Cheektowaga Times," official newspaper of the Town of Cheektowaga, New York, a newspaper published and having a general circulation in said Town.

Section 9. This resolution shall take effect immediately upon its adoption.

The bond resolution published herewith has been adopted on May 21, 1951, and the validity of the obligations authorized by such bond resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution of New York.

KENNETH T. HANLEY  
 Town Clerk  
 May 24

NEW YORK  
 ERIE  
 CHEEKTOWAGA } ss.

ALLIS, of the Town of Cheektowaga, County of Erie, being duly sworn,

says that he is the publisher of the

Times, a public newspaper pub-

lished in said Town; that the notice, of

index printed slip, taken from said

newspaper, was inserted and published

once a week for one weeks:

on MAY 24 1951

on MAY 24 1951

more than six days intervened be-

tween

*Willard C. Allis*

before me this.....

MAY 24 1951, 19.....

*Eve J. Allis*

Notary Public in and for Erie County, N. Y.

EVE J. ALLIS  
 Notary Public, State of New York  
 Qualified in Erie County  
 My Commission Expires March 30, 1953  
 Registered No. 5029

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, the Town Superintendent of Highways has approved the acceptance of portions of East Treehaven Road and also Treehaven Road as the same is more particularly 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 Thirty-seven (37), Township Eleven (11), and Range Seven (7) of the Holland Land Company's Survey described as follows:

BEING that portion of East Treehaven Road extending westerly from the northerly line of Wainwright Road to Burke Drive as shown on map filed in the Erie County Clerk's Office under Cover No. 1733 and that portion of Burke Drive as shown on map filed in the Erie County Clerk's Office under Cover No. 1750 extending northerly from the north line of lands shown on map filed in the Erie County Clerk's Office under Cover No. 1630 to the south line of East Treehaven Road, and

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 Thirty-seven (37), Township Eleven (11), and Range Seven (7), of the Holland Land Company's Survey described as follows:

BEING that portion of Treehaven Road extending easterly from the easterly line of Sublot No. Fourteen (14) as extended southerly across Treehaven Road as shown on Map Cover No. 1692, filed in the Erie County Clerk's Office to the end of Treehaven Road as shown on map filed in the Erie County Clerk's Office under Cover 1729.

BE IT RESOLVED, that said highways hereinbefore described be accepted as Town Highways, and

BE IT FURTHER RESOLVED, that the Town Clerk be authorized to record said deeds in the Erie County Clerk's Office.

Seconded by Councilman Wroblewski. CARRIED: AYES: -4- NOES: -0-.

Councilman Nagel presented the following resolution and moved its adoption:

RESOLVED, that the application of Louis Ferris to use premises located at the north west corner of Genesee Street and Transit Road for the sale of used cars be granted and the Town Clerk is authorized to issue a permit to said Louis Ferris upon payment of permit fees, and

BE IT FURTHER RESOLVED, that said permit provide that no automobiles or other property of any kind be placed within 30 feet of the street line on Genesee Street and Transit Road.

Seconded by Councilman Wroblewski. CARRIED: AYES: -4- NOES: -0-

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the Town Clerk be authorized and directed to issue building permits on applications processed by the Petitions Committee on May 12 and May 19, 1951, after same have been approved by the Building Inspector.

Seconded by Councilman Neibert. CARRIED: AYES: -4- NOES: -0-

Councilman Wroblewski presented the following resolution and moved its adoption.

RESOLVED, that the Supervisor be authorized to execute a contract with the Village of Depew, relating to connections with water line in the Village of Depew on behalf of the Town of Cheektowaga, New York.

Seconded by Councilman Neibert. CARRIED: AYES: -4- NOES: -0-

Councilman Neibert presented the following resolution and moved its adoption:

RESOLVED, that the application of Raymond Przybysz for a leave of absence, with pay, because of sickness, be granted for the period May 7, 1951 through July 1, 1951.

Seconded by Councilman Wroblewski and duly put to a vote which resulted as follows: CARRIED: AYES: -4- NOES: -0-.

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, Louis Kozlowski and Stanley Isbrandt are confined in the Veterans Hospital,

BE IT RESOLVED, that leaves of absence be granted to each of them with pay until July 1, 1951.

Seconded by Councilman Wroblewski. CARRIED: AYES: -4- NOES: -0-.

Councilman Nagel moved seconded by Councilman Wroblewski that all claims audited at this meeting be paid and that the Town Clerk be authorized and directed to draw orders on the Supervisor for payment of same.

( Orders No. 4907 to No. 4976 inclusive drawn on the Supervisor.

Councilman Nagel moved seconded by Councilman Neibert, to adjourn.

Kenneth T. Hanley,  
Town Clerk.

*Kenneth T. Hanley*

SEAL.

Cheektowaga, New York  
June 4, 1951.

78

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, on the 4th day of June, 1951, at 2:30 o'clock P.M., E.D.S.T., there were:

PRESENT: Benedict T. Holtz	Supervisor
Henry Nagel	Councilman
Felix T. Wroblewski	Councilman
Joseph A. Neibert	Councilman
Stanley Bystrak	Councilman

ABSENT: -0-

The chairman called the meeting to order.

Without any objections the reading of the minutes of the previous meeting were dispensed with until a later date.

The Supervisor stated that this was the time and the place for the receiving of bids for the construction of a lateral sanitary sewer in Homesgarth Avenue.

On a motion of Councilman Nagel, seconded by Councilman Neibert, the time for receiving of bids was ordered closed.

The Town Clerk then read the notice of publication to contractors and presented proof of publication.

( Copy of said notice is hereto attached ).

#### 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 4th day of June, 1951, at 2:30 o'clock P.M., E. D. S. 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 Homesgarth Avenue, to wit: the construction of a lateral sewer in said highway from Mapleview Road to Roycroft Boulevard, on both sides of the highway, for the entire length of the street, 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 and 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, 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 condition within thirty days following the award of the contract or the rejection of bid of such bidder, 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 Three Hundred and Fifty Dollars (\$350.00), payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga, or a bond with sufficient sureties to be approved by the Supervisor in a penal sum of Three Hundred and Fifty Dollars (\$350.00), 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 reserves 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.

KENNETH T. HANLEY,  
Town Clerk.

Dated: May 21, 1951.

May 24

STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA } ss.

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks; first publication MAY 24 1951; last publication MAY 24 1951; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of MAY 24 1951, 19.....

*Eve J. Allis*

Notary Public in and for Erie County, N. Y.

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1953  
Registered No. 5029

Councilman Neibert moved that the bids for the construction of a lateral sanitary sewer in Homesgarth Avenue be referred to Newell L. Nussbaumer and Irving Clarke, doing business as Nussbaumer and Clarke, Consulting Engineers for the Town of Cheektowaga, and the Town Attorney 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 a regular meeting of the Town Board to be held at 7:30 o'clock, P.M., E.D.S.T., on the 18th day of June, 1951.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -5-

( Hereto attached is a summary of bids ).

This being the time and the place for the construction of a lateral sewer:

That portion of said Toelsin Road south to George Urban Boulevard.

The Supervisor directed the Town Clerk to publish the Notice of Hearing.

The Town Clerk presented proof published, and upon order of the Supervisor ( Hereto attached is a copy of in the Cheektowaga Times ).

Bids Received:  
June 4, 1951  
2:30 p.m. E.D.S.T.

**BID SUMMARY**  
FOR CONSTRUCTION OF SANITARY SEWERS  
IN HOMESGARTH AVENUE  
TOWN OF CHEEKTOWAGA, NEW YORK

Nussbaumer and Clarke  
Consulting Engineers

Bid Item	Description	R & R Co.		Fahning Contracting Co.		Fago Bros. Contracting Co.		Straco, Inc.	
		Unit	Total	Unit	Total	Unit	Total	Unit	Total
1	3" Std. V.T.P., 6'-8' deep (1,160 l.f.)	1.75	\$2,030.00	1.97	\$2,285.20	2.60	\$3,016.00	2.90	\$3,364.00
2	8" Std. V.T.P., 8'-10' deep (540 l.f.)	1.95	1,053.00	1.97	1,063.80	2.80	1,512.00	3.20	1,728.00
3	Std. manholes, 6'-8' deep (4)	200.00	800.00	175.00	700.00	180.00	720.00	250.00	1,000.00
4	Std. manholes, 8'-10' deep (2)	225.00	450.00	200.00	400.00	200.00	400.00	300.00	600.00
5	8" 16" V.T. Wye branches (35)	3.00	105.00	4.00	140.00	5.00	175.00	4.00	140.00
6	Class "E", 1500 lb. conc. cradle, per l.f. of trench (20 l.f.)	1.00	20.00	4.00	80.00	2.00	40.00	2.00	40.00
7	Total for Bid Items 1 - 6		\$4,458.00		\$4,669.00		\$5,863.00		\$6,872.00
Bid Security		Certified Check		Certified Check		American Surety Co.		Maryland Casualty Co.	

This being the time and the place advertised for a public hearing for the construction of a lateral sanitary sewer in Toelsin Road, to wit:

That portion of said Toelsin Road extending from Oriole Place, south to George Urban Boulevard.

The Supervisor directed the Town Clerk to present proof of publication of the Notice of Hearing.

The Town Clerk presented proof that such notice has been duly published, and upon order of the Supervisor, such proof was duly filed. ( Hereto attached is a copy of the notice of hearing, published in the Cheektowaga Times ).

Nussebaumer and Clarke  
Consulting Engineers

S. Contracting Co.		Straco, Inc.	
Total	Unit	Total	
\$3,016.00	\$ 2.90	\$3,364.00	
1,512.00	3.20	1,728.00	
720.00	250.00	1,000.00	
400.00	300.00	600.00	
175.00	4.00	140.00	
40.00	2.00	40.00	
\$5,863.00		\$6,872.00	
an Surety Co.	Maryland Casualty Co.		

STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks; first publication MAY 24 1951; last publication MAY 24 1951; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of MAY 24 1951 19.....

*Eve J. Allis*

Notary Public in and for Erie County, N. Y.

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1952  
Registered No. 5629

Councilman Neibert moved that the bids for the construction of a lateral sanitary sewer in Homesgarth Avenue be referred to Newell L. Nussbaumer and Irving Clarke, doing business as Nussbaumer and Clarke, Consulting Engineers for the Town of Cheektowaga, and the Town Attorney 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 a regular meeting of the Town Board to be held at 7:30 o'clock, P.M., E.D.S.T., on the 18th day of June, 1951. Seconded by Councilman Wroblewski. CARRIED: AYES: -5-.

( Hereto attached is a summary of bids ).

This being the time and the place for the construction of a lateral sewer, wit:

That portion of said Toelsin Road south to George Urban Boulevard.

The Supervisor directed the Town publication of the Notice of Hearing.

The Town Clerk presented proof published, and upon order of the Supervisor.

( Hereto attached is a copy of in the Cheektowaga Times ).

Bids Received:  
June 4, 1951  
2:30 p.m. D.S.T.

BID SUMMARY  
FOR CONSTRUCTION OF SANITARY SEWERS  
IN HOMESGARTH AVENUE  
TOWN OF CHEEKTOWAGA, NEW YORK

Nussbaumer and Clarke  
Consulting Engineers

Bid Item	Description	R & R Co.	Straco, Inc.	Fago Bros. Const. Co.	Fahning Const. Co.
1	8" Std. V.T.P., 6'-8' deep (1,160 l.f.)				
2	8" Std. V.T.P., 8'-10' deep (540 l.f.)				
3	Std. manholes, 6'-8' deep (4)				
4	Std. manholes, 8'-10' deep (2)				
5	8" x 6" V.T. Wye branches (35)				
6	Glass "B", 1800 lb. conc. cradle, per L.F. of trench (20 l.f.)				
10	Total for Bid Items 1 - 6	4458 <sup>00</sup>	6872 <sup>00</sup>	5863 <sup>00</sup>	4669 <sup>00</sup>

This being the time and the place advertised for a public hearing for the construction of a lateral sanitary sewer in Toelsin Road, to wit:

That portion of said Toelsin Road extending from Oriole Place, south to George Urban Boulevard.

The Supervisor directed the Town Clerk to present proof of publication of the Notice of Hearing.

The Town Clerk presented proof that such notice has been duly published, and upon order of the Supervisor, such proof was duly filed. ( Hereto attached is a copy of the notice of hearing, published in the Cheektowaga Times ).

Hussbauer and Glantz  
Consulting Engineers

Fago Bros. Cont. Co. Fahning Cont. Co.

STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks; first publication MAY 24 1951; last publication MAY 24 1951; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of MAY 24 1951, 19.....

*Eve J. Allis*

Notary Public in and for Erie County, N. Y.

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1952  
Registered No. 5829

5863<sup>00</sup>

4669<sup>00</sup>



Councilman Neibert moved that the bids for the construction of a lateral sanitary sewer in Homesgarth Avenue be referred to Newell L. Nussbaumer and Irving Clarke, doing business as Nussbaumer and Clarke, Consulting Engineers for the Town of Cheektowaga, and the Town Attorney 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 a regular meeting of the Town Board to be held at 7:30 o'clock, P.M., E.D.S.T., on the 18th day of June, 1951.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -5-.

( Hereto attached is a summary of bids ).

This being the time and the place advertised for a public hearing for the construction of a lateral sanitary sewer in Toelsin Road, to wit:

That portion of said Toelsin Road extending from Oriole Place, south to George Urban Boulevard.

The Supervisor directed the Town Clerk to present proof of publication of the Notice of Hearing.

The Town Clerk presented proof that such notice has been duly published, and upon order of the Supervisor, such proof was duly filed. ( Hereto attached is a copy of the notice of hearing, published in the Cheektowaga Times ).

#### NOTICE OF HEARING

##### Sanitary Sewer Construction

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 21st day of May, 1951, at 7:30 o'clock P.M., Eastern Daylight Saving Time, there were:

##### PRESENT:

Benedict T. Holtz, Supervisor  
Henry J. Nagel, Councilman  
Feix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman

##### ABSENT:

Stanley Bystrak, Councilman  
Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, a written petition was duly filed with this Board for the improvement of both sides of Toelsin Road by the construction of a lateral sewer in said highway, to wit:

That portion of said Toelsin Road extending from Oriole Place, south, to George Urban Boulevard, which sewer shall be so constructed to serve the properties of both sides of said public highway; and

WHEREAS, it duly appears that such petition has been duly signed by owners of real estate fronting or abutting on the both sides of said public highway situate between the points aforesaid owning at least one-half of the frontage or bounds on both sides of the public highway to be improved as aforesaid, and was signed by resident owners residing along said highway proposed to be improved, owning not less than one-half of the aggregate frontage owned by resident owners; and

WHEREAS, such petition was duly acknowledged or proved by all the signers in the same manner as a deed to be recorded; and

WHEREAS, the maximum amount proposed to be expended for the improvement of said highway as stated in the petition is the sum of \$5,000.00;

##### NOW, THEREFORE,

BE IT RESOLVED, pursuant to the provisions of Section 199 of the Town Law of the State of New York, it is hereby

ORDERED, that the Town Board of the Town of Cheektowaga, Erie County, New York, shall meet at the Town Hall, corner of Broadway and Union Road in said Town, on the 4th day of June, 1951, at 2:30 o'clock P.M., Eastern Daylight Saving Time, for the purpose of considering the said petition and hearing of persons interested in the subject thereof concerning the same; and be it

FURTHER ORDERED, that the Town Clerk be and he is hereby ORDERED and DIRECTED to publish a certified copy of this resolution and order in the CHEEKTOWAGA TIMES not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that on or before said date he post conspicuously or cause to be posted conspicuously certified copies of this order in five (5) public places along the said portion of said highway to be improved.

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

Supervisor Holtz, voting Aye.  
Councilman Nagel, voting Aye.  
Councilman Wroblewski, voting Aye.  
Councilman Bystrak, absent.  
Councilman Neibert, voting Aye.

AYES: 4 NOES: 0 ABSENT: 1

STATE OF NEW YORK  
ERIE COUNTY  
OFFICE OF THE CLERK SS.  
OF THE TOWN OF  
CHEEKTOWAGA

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 21st day of May, 1951, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 21st day of May, 1951.

KENNETH T. HANLEY,  
Clerk of the Town Board,  
Town of Cheektowaga, N. Y.  
(SEAL) May 24

STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA } ss.

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn,

deposes and says that he is the publisher of the

Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of

which the annexed printed slip, taken from said

newspaper is a copy, was inserted and published

in said paper once a week for one weeks:

first publication MAY 24 1951

last publication MAY 24 1951

and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of MAY 24 1951, 19.....

*Eve J. Allis*

Notary Public in and for Erie County, N. Y.

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1953  
Registered No. 5029

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing.

Mr. Joseph T. Miterak, owner of lots on Toelsin Road, and also a resident of Toelsin Road, related to the Board, that in his estimation, the job could not be done for the amount of \$5,000, as stated in the petition, due to the fact that a flume would be required and this no doubt would increase the cost.

No person appeared in favor thereof.

The Supervisor ordered the hearing closed and the decision was reserved.

Communication read from Albert J. Kam, Town Engineer, relating to repairs to the Town Hall. Ordered referred to the Town Attorney.

Petition presented signed by twelve persons in favor of the removal of a burial vault business conducted on the premises at No. 3723 Genesee Street. Ordered referred to the Petitions Committee.

Petition presented signed by fifteen persons having no objections to the Frontier Vault Company operating a light industrial business at No. 3711 Genesee Street. Ordered referred to the Petitions Committee.

Communication read from the Pastor of St. Lukes Church, corner of Union Road and Maryvale Drive, requesting the installation of a street light on the first pole on the south side of Maryvale Drive, west of Union Road. Ordered referred to Councilman Bystrak, chairman of the Public Utilities Committee.

Communication read from Wells Forbes, Chief Flight Operations Branch, Department of Commerce, Civil Aeronautics Administration, relating to low flying planes arriving and departing at the Buffalo Airport. Ordered received and filed.

Communication read from Albert J. Kamm, Town Engineer, relating to monthly reports filed by the, Sanitation Department, Disposal Plants, and Sewer and Sidewalk Inspector. Ordered received and filed.

Communication read from the Town Highway Superintendent, requesting permission to attend the Association of Towns school for Highway Superintendents at Ithaca, New York, on June 18th, 19th, and 20th.

On a motion of Councilman Neibert, seconded by Councilman Wroblewski, the request was granted.

Communication read from the State of New York, Department of Audit and Control, denying the application of the Town Board for permission to establish Tiorunda Fire District No. 9. Ordered received and filed.

Communication read from the State of New York, Department of Audit and Control, denying the application of the Town Board to extend the Cleveland Hill Fire District to Cayuga Road, in the Town of Cheektowaga. Ordered referred to the Town Attorney.

Communication read from the State of New York, Department of Audit and Control, granting permission to the Town Board to extend the Cleveland Hill Fire District to include Yeager Drive in the Town of Cheektowaga. Ordered received and filed.

Communication read from William Infantine, relating to the operation of a fruit stand in conjunction with a Esso Gasoline Station on Harlem Road. Ordered referred to the Petitions Committee.

Communication read from Elmer C. Mesner, Superintendent of Disposal Plants, requesting a six months sick leave of absence, with certificates signed by Doctor Nadolny and Doctor Fischer. Ordered referred to the Town Attorney.

Communication read from the Town Highway Superintendent relating to needed repairs to the Town Garage roof. Ordered referred to the Chairman of the Highway Committee.

Plans and specifications presented by the Town Highway Superintendent for a fence to be erected around the Town Garage. Ordered referred to the Chairman of the Highway Committee.

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the Town Clerk be authorized and directed to turn over to Edward Janiak, Director of Recreation, four election booths for use at various playground; said booths to be returned in good order to the Town Clerk upon his demand.

Seconded by Councilman Neibert.

CARRIED: AYES: -5-.

Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the New York State Electric and Gas Company be authorized to install 10,000 lumen Sodium Vapor lights at the following intersections;

Broadway and Halstead Avenue;

Gierlach Street and Harlem Avenue;

Union Road and Broadway ( One at each intersection ).

Seconded by Councilman Nagel.

CARRIED: AYES: -5-.

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the map of the proposed sanitary sewer on the north side of Genesee Street, east from Donald Drive, prepared by Nussbaumer and Clarke, Engineers, dated April 17, 1951, be approved; and

BE IT FURTHER RESOLVED, that all costs involved in the construction of said sewer be borne by Anthony Scamurra, and that the construction of said sewer be done under the supervision of Michael Wagner, Sewer Inspector and Albert J. Kamm, Town Engineer.

Seconded by Councilman Neibert.

CARRIED: AYES: -5-.

Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the Chief of Police of the Town of Cheektowaga, New York, be and he is hereby authorized to have installed stop signs on Northern Parkway and East Grand Boulevard in the Town of Cheektowaga, New York.

Seconded by Councilman Neibert.

CARRIED: AYES: -5-.

Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that a signal light be erected at Cleveland Drive and Foisset, and that Reynders and Company be authorized to erect said signal under the supervision of Albert J. Kamm, Town Engineer.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -5-.

Councilman Nagel presented the following resolution and moved its adoption:

RESOLVED, that Eugene A. Rudzinski, be and he is hereby appointed Assessor of the Town of Cheektowaga, New York, to fill the vacancy caused by the death of Bronislaus T. Orlikowski, at an annual salary of Three Thousand, Two Hundred Dollars (\$3,200.00), payable in semi-monthly installments.

This resolution shall take effect immediately.

Seconded by Councilman Neibert.

CARRIED: AYES: -5-.

Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the New York State Electric and Gas Company be authorized to install Eleven (11) Twenty-Five hundred lumen lights and poles on Peinkofer Drive, commencing at Beach Road and ending at Union Road.

Seconded by Councilman Neibert.

CARRIED: AYES: -5-.

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the Town Clerk be authorized and directed to issue Building Permits on application processed by the Petitions Committee on May 26th, 1951 and June 2nd, 1951, after same have been approved by the Building Inspector.

Seconded by Councilman Neibert.

CARRIED: AYES: -5-.

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the Inspector of Election for the Town of Cheektowaga, New York, recommended by the Chairman of the Democratic and Republican parties respectively, be appointed Inspectors of Election for the year 1951.

Seconded by Councilman Neibert.

CARRIED: AYES: -5-.

DEMOCRATIC INSPECTORS

<u>DISTRICT</u>	<u>NAMES</u>	<u>ADDRESS</u>
1	Sylvia Rau Wanda Lorenz	Cheektowaga 25, N.Y. Cheektowaga 25, N.Y.
2	Stanley Breister Josephine McMahon	Cheektowaga 25, N.Y. Cheektowaga 25, N.Y.
3	John Dobbins Mrs. August Keicher Jr.	Depew, N.Y. Depew, N.Y.
4	Bertha Snyder Max Brzoskowski	Cheektowaga 25, N.Y. Cheektowaga 25, N.Y.
5	Mrs. George Huber Amanda Kielholz	Cheektowaga 25, N.Y. Cheektowaga 25, N.Y.
6	Olga Schneider Mildred Painter	Cheektowaga 25, N.Y. Cheektowaga 25, N.Y.
7	Helen Reinhold Mrs. Alda Spellman	Cheektowaga 25, N.Y. Cheektowaga 25, N.Y.
8	Gertrude Pfeiffer Julia Dalton	Cheektowaga 25, N.Y. Cheektowaga 25, N.Y.
9	Anna Lojacono Margaret Truckenport	Buffalo 21, N.Y. Buffalo 21, N.Y.
10	Teresa M. Heindl Norma Ehnes	Buffalo 21, N.Y. Buffalo 21, N.Y.
11	Marilyn Sherwood Helen Connolly	Buffalo 21, N.Y. Buffalo 21, N.Y.
12	Leonore Luango Monica A. Glasgow	Cheektowaga 25, N.Y. Cheektowaga 25, N.Y.
13	Rose H. Fix Clara Wagner	Buffalo 15, N.Y. Buffalo 15, N.Y.
14.	Vera Allen Doris Duffy	Cheektowaga 25, N.Y. Buffalo 11, N.Y.
15	Lucille Stravino Evelyn Wickens	Cheektowaga 25, N.Y. Cheektowaga 25, N.Y.
16	Mildred Loftus Helen Malone	Cheektowaga 25, N.Y. Cheektowaga 25, N.Y.
17	Margaret Lunz Genevieve Zalikowski	Cheektowaga 25, N.Y. Cheektowaga 25, N.Y.
18	Viola Anderson Pauline Wagner	Cheektowaga 25, N.Y. Cheektowaga 25, N.Y.
19	Mary Moretuzzo Helen T. Wisniewski	Cheektowaga 25, N.Y. Cheektowaga 25, N.Y.



DISTRICT	NAME	ADDRESS
20	Celia Bartkowiak Madeline Angielczyk	Cheektowaga 11, N.Y. Cheektowaga 11, N.Y.
21	Margaret Lawniczak Agnes Kwiatkowski	Buffalo 11, N.Y. Buffalo 11, N.Y.
22	Laura Tucholka Tillie Vogel	Buffalo 11, N.Y. Buffalo 11, N.Y.
23.	Domicella Torba Helen Olszanowski	Buffalo 11, N.Y. Buffalo 11, N.Y.
24.	Florence Choiniski Mae M. Karaszewski	Buffalo 12, N.Y. Buffalo 12, N.Y.
25	Frances Piatkiewicz Josephine Kaczmarek	Buffalo 12, N.Y. Buffalo 12, N.Y.
26	Mrs. A.B. Grelewicz Martha Ostrowski	Buffalo 12, N.Y. Buffalo 12, N.Y.
27	Jean Stachowski Mary Stachowski	Buffalo 6, N.Y. Buffalo 6, N.Y.
28	Anna Slisz Charlotte Wasielewski	Buffalo 6, N.Y. Buffalo 6, N.Y.
29	Stella Wilkolaski Jerome Grapczynski	Buffalo 6, N.Y. Buffalo 6, N.Y.

REPUBLICAN INSPECTORS

1	Viola Hoffman Annette Napieralski	Depew N.Y. Depew N.Y.
2	Caroline K. Lenz Naomi Kladke	Buffalo 25, N.Y. Buffalo 25, N.Y.
3	Charles Wein Amelia Baumgartner	Depew N.Y. Depew N.Y.
4	Marion Muehlbauer Katherine Henfling	Buffalo 25, N.Y. Buffalo 25, N.Y.
5	Mary Massaro Dorothy Herb	Buffalo 25, N.Y. Buffalo 25, N.Y.
6	Helena Quimby Charlotte Graf	Buffalo 25, N.Y. Buffalo 25, N.Y.
7	Alice Summers Edna M. Dormeyer	Buffalo 25, N.Y. Buffalo 25, N.Y.
8	Vivian Emsley Mayme Ostwald	Buffalo 25, N.Y. Buffalo 25, N.Y.
9	Mildred Bergmann Eleanor N. Wolf	Buffalo 21, N.Y. Buffalo 21, N.Y.
10	Freda Scott Elizabeth Hohl	Buffalo 21, N.Y. Buffalo 21, N.Y.
11	Kathryn Hezel Ethel Dissette	Buffalo 21, N.Y. Buffalo 21, N.Y.
12	Mery Burns Alice Lang	Buffalo 21, N.Y. Buffalo 21, N.Y.

REPUBLICAN INSPECTORS - Cont'd.

<u>DISTRICT</u>	<u>NAME</u>	<u>ADDRESS</u>
13	Bernice Szmania Alice A. Forrest	Buffalo 15, N.Y. Buffalo 15, N.Y.
14	Gertrude Breissinger Marion Conners	Buffalo 25, N.Y. Buffalo 25, N.Y.
15	Marie Rodgers Harriet Jurgens	Buffalo 25, N.Y. Buffalo 25, N.Y.
16	Anne Carmody Augusta Kensinger	Buffalo 25, N.Y. Buffalo 25, N.Y.
17	Hilda Robertson Agnes E. Kuhn	Buffalo 25, N.Y. Buffalo 25, N.Y.
18	Margaret Kiefer Dolores Decker	Buffalo 25, N.Y. Buffalo 25, N.Y.
19	Kathryn Pitman Gertrude Geary	Buffalo 25, N.Y. Buffalo 25, N.Y.
20	Helen Chmielewski Esther Kaminski	Buffalo 11, N.Y. Buffalo 11, N.Y.
21	Josephine Kujawa Frances Molenda	Buffalo 11, N.Y. Buffalo 11, N.Y.
22	Irene Wisniewski Helen Polinski	Buffalo 11, N.Y. Buffalo 11, N.Y.
23	Marie Fisher Cecila Prusakowski	Buffalo 11, N.Y. Buffalo 11, N.Y.
24	Elizabeth Dombrowski Clara Hencinski	Buffalo 12, N.Y. Buffalo 12, N.Y.
25	Julia Witucki Stasia Sobczyk	Buffalo 12, N.Y. Buffalo 12, N.Y.
26	Sophie Kolankowski Helen Nash	Buffalo 12, N.Y. Buffalo 12, N.Y.
27.	Jean Czajka Hattie Jordan	Buffalo 6, N.Y. Buffalo 6, N.Y.
28.	Hattie Glowicki Virginia Szydlowski	Buffalo 6, N.Y. Buffalo 6, N.Y.
29	Mary Wnek Celia Wisniewski	Buffalo 6, N.Y. Buffalo 6, N.Y.

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the Eire County Highway Superintendent be requested to install a Boulevard Stop and Go sign at the intersection of Grunner Road and Harlem Road, in the Town of Cheektowaga, New York.

Seconded by Councilman Neibert.

CARRIED: AYES: -5-.



5

Councilman Bystrak presented the following resolution and moved its adoption: 82

WHEREAS, the Board of Fire Commissioners of Walden Fire District No 2 of the Town of Cheektowaga, New York, have requested the erection of manual-operated stop lights on Pine Ridge Road and on Walden Avenue; and

WHEREAS, it is in the public interest to grant said request,  
BE IT RESOLVED, that Reynders and Company be authorized to erect said stop lights on Walden Avenue and on Pine Ridge Road under the supervision of Albert J. Kamm, Town Engineer.

Seconded by Councilman Nagel. CARRIED: AYES: -5-.

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, a Police automobile belonging to the Town of Cheektowaga, New York, was damaged due to an accident which involved the automobile of George D. Walker, Buffalo, New York; and

WHEREAS, his insurance carrier is willing to settle in full the claim of the Town of Cheektowaga, New York, amounting to Two Hundred Thirty-One Dollars and Ninety One cents (\$231.91), for damages to the Police automobile caused by the collision and repaired by Mernan Chevrolet, Inc., and Eighty-Two Dollars and Eighty Cents (\$82.80) for damages to the radio equipment in the Police automobile, amounting in all to Three Hundred Fourteen Dollars and Seventy One Cents (\$314.71),

BE IT RESOLVED, that the Supervisor be and he is hereby authorized to execute on behalf of the Town of Cheektowaga, New York, a general release to said George D. Walker upon payment of said sum of Three Hundred Fourteen Dollars and Seventy One Cents, (\$314.71; and

BE IT FURTHER RESOLVED, that the sum of Two Hundred Thirty-One Dollars and Ninety-One Cents (\$231.91) be paid to Mernan Chevrolet in full payment of its claim against the Town of Cheektowaga, New York, for repairing said Police automobile.

Seconded by Councilman Neibert. CARRIED: AYES: -5-.

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the bid of Fago Bros Construction Company to install sewer on Darwin Drive with items 8 and 9 deleted in accordance with plans and specifications prepared by Nussbaumer and Clarke, Consulting Engineers, in the sum of Five Thousand Five Hundred and Eighty Six Dollars (\$5,586.00), be accepted and the said Consulting Engineers and the Town Attorney be directed to prepare contract to be entered into between the Town of Cheektowaga and said Fago Bros. Construction Company.

Seconded by Councilman Nagel. CARRIED: AYES: -5-.

Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the State Traffic Commission of the State of New York, make a survey for the need of a traffic signal light at the corner of Broadway and Halstead Avenue, in the Town of Cheektowaga, New York.

Seconded by Councilman Wroblewski. CARRIED: AYES: -5-.

Councilman Neibert presented the following resolution and moved its adoption:

RESOLVED, that the contract, between Buffalo Sewer Authority and the Town of Cheektowaga relating to the connection to the city sewer system at Clinton Street and Cochrane Street, in the Town of Cheektowaga, New York, be approved, and that the Supervisor be and he is hereby authorized to execute said contract on behalf of the Town of Cheektowaga, New York.

Seconded by Councilman Wroblewski. CARRIED: AYES: -5-.

( REZONING GRANTED - HIGHVIEW HOMES - HARLEM ROAD AND DANIEL AVENUE )

held at the Town Hall in said Town of Cheektowaga, New York, on the 4th day of June, 1951, there were:

PRESENT:

Benedict T. Holtz, Supervisor  
Henry Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman  
Stanley Bystrak, Councilman

ABSENT: None.

Mr. Wroblewski offered the following resolution and moved its adoption.

WHEREAS, the Zoning Board of Appeals held a public hearing at the Town Hall in the Town of Cheektowaga, New York, on the 4th day of May, 1951, at 7:30 o'clock P.M. E.D.S.T., of said day for the purpose of considering the application of Highview Homes Inc., Marve Harwood, President, for the rezoning from residence district to business district of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

WHEREAS, the Zoning Board of Appeals on the 10th day of May, 1951, having rendered its decision granting the application of the petitioners to rezone from residence district to business district the property hereinafter described, for the purpose of conducting an Automobile Sales Agency, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a special meeting thereon on the 12th day of May, 1951, and the Town Board having made a thorough investigation of the proceedings had and taken before the Zoning Board of Appeals and having personally inspected the premises to be rezoned, as well as the property in its immediate vicinity on Harlem Road and Daniel Avenue.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone said premises from residence to business be and the same is hereby confirmed and approved.

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", subject to the following restrictions: (1) that said premises are used only for business purposes, and not Industrial, and (2) that in the event said premises are no longer used as an Automobile Sales Agency, this order of rezoning shall be null and void and the property shall revert to residential use only.

DESCRIPTION

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 24, Township 11, Range 7 of the Buffalo Creek Indian Reservation, located at the southeast corner of Harlem Road and Daniel Avenue and on a certain subdivision map or maps filed in the Erie County Clerk's Office under Cover No. 400 is shown as being 107 foot frontage on Harlem Road by 290 feet on Daniel Avenue.

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

Benedict T. Holtz, voting Aye,  
Henry Nagel, voting Aye,  
Felix T. Wroblewski, voting Aye,  
Joseph A. Neibert, voting Aye,  
Stanley Bystrak, voting Aye,  
Carried: 5 Ayes, 0 Nays.

Dated: June 4, 1951.

KENNETH T. HANLEY,  
(seal) Town Clerk  
Town of Cheektowaga  
Erie County, New York

Posted as follows on the 12th day of June, 1951;  
 Town Hall Bulletin Board;  
 Post at the corner of Straley Avenue and Harlem Road;  
 Tree in front of No. 2468 Harlem Road;  
 Post at the corner of Chopin Avenue and Harlem Road;  
 Post in front of No. 2416 Harlem Road;  
 Post in front of No. 2404 Harlem Road;  
 Telephone Pole No. 247 Harlem Road.

Hereto attached is a copy of notice published in the Depew

**Automotive — For Sale**  
 1947 Special Deluxe 4-door Plymouth, practically new motor; car in good condition. Will sell cheap. Depew, or call RE 3998. j614-28  
 1948 Studebaker land cruiser sedan, radio and heater in good condition. Inquire 553 Penora st., Depew, or call RE 3998. j614-28  
 Living room suite, secretary, rug, maple chair, lamps, Frigidaire. Miscellaneous items. Dial PL 5624. j614-28  
 Cat Peony flowers for sale, 500 per doz. John Chraps, Borden cor Zurbach rd., Depew. Phone RE 5467. j614-28  
 Mixed manure for sale. Call RE 3862 or Inquire 556 Columbia Ave., Depew. j614-28  
 Lancaster. Phone RE 6400. j614-28  
 Appliance Co., 130 Central Ave., and oil heaters. Lancaster Stove & bath tubs for sale. Also gas, coal fired gas ranges, refrigerators, and also 20-gauge shotgun, \$20. Inquire 33 Olmstead Ave., Depew. j614-28

*Frank A. Taler, 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 *14th* day of *June*, 1951, and the last insertion being on the *21st* day of *June*, 1951, and that not more than six days intervened between any two publications thereof.

*Frank A. Taler, Jr.*

Sworn to before me this *16th* day of

*July* 1951  
*Wm. T. Hanley*  
 Notary Public in and for Erie County.  
 In-49 5883

( REZONING GRANTED - HIGHVIEW HOMES - HARLEM ROAD AND DANIEL AVENUE )

held at the Town Hall in said Town of Cheektowaga, New York, on the 4th day of June, 1951, there were:

PRESENT:

Benedict T. Holtz, Supervisor  
Henry Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman  
Stanley Bystrak, Councilman

ABSENT: None.

Mr. Wroblewski offered the following resolution and moved its adoption.

WHEREAS, the Zoning Board of Appeals held a public hearing at the Town Hall in the Town of Cheektowaga, New York, on the 4th day of May, 1951, at 7:30 o'clock P.M. E.D.S.T., of said day for the purpose of considering the application of Highview Homes Inc., Marve Harwood, President, for the rezoning from residence district to business district of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

WHEREAS, the Zoning Board of Appeals on the 10th day of May, 1951, having rendered its decision granting the application of the petitioners to rezone from residence district to business district the property hereinafter described, for the purpose of conducting an Automobile Sales Agency, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a special meeting thereon on the 12th day of May, 1951, and the Town Board having made a thorough investigation of the proceedings had and taken before the Zoning Board of Appeals and having personally inspected the premises to be rezoned, as well as the property in its immediate vicinity on Harlem Road and Daniel Avenue.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone said premises from residence to business be and the same is hereby confirmed and approved.

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", subject to the following restrictions: (1) that said premises are used only for business purposes, and not Industrial, and (2) that in the event said premises are no longer used as an Automobile Sales Agency, this order of rezoning shall be null and void and the property shall revert to residential use only.

DESCRIPTION

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 24, Township 11, Range 7 of the Buffalo Creek Indian Reservation, located at the southeast corner of Harlem Road and Daniel Avenue and on a certain subdivision map or maps filed in the Erie County Clerk's Office under Cover No. 400 is shown as being 107 foot frontage on Harlem Road by 290 feet on Daniel Avenue.

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

Benedict T. Holtz, voting Aye,  
Henry Nagel, voting Aye,  
Felix T. Wroblewski, voting Aye,  
Joseph A. Neibert, voting Aye,  
Stanley Bystrak, voting Aye,  
Carried: 5 Ayes, 0 Nays.  
Dated: June 4, 1951.

(seal) KENNETH T. HANLEY,  
Town Clerk  
Town of Cheektowaga  
Erie County, New York

Posted as follows on the 12th day of June, 1951;  
Town Hall Bulletin Board;  
Post at the corner of Straley Avenue and Harlem Road;  
Tree in front of No. 2468 Harlem Road;  
Post at the corner of Chopin Avenue and Harlem Road;  
Post in front of No. 2416 Harlem Road;  
Post in front of No. 2404 Harlem Road;  
Telephone Pole No. 247 Harlem Road.

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Hereto attached is a copy of notice published in the Depew Herald;

STATE OF NEW YORK  
COUNTY OF ERIE

Resolving Granted

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, New York, on the 4th day of June, 1951, there were:

PRESENT:

Benedict T. Holtz, Supervisor  
Henry Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Nelbert, Councilman  
Stanley Bystrak, Councilman

ABSENT: None.

Mr. Wroblewski offered the following resolution and moved its adoption.

WHEREAS, the Zoning Board of Appeals held a public hearing at the Town Hall in the Town of Cheektowaga, New York, on the 4th day of May, 1951, at 7:30 o'clock P.M. E.D.S.T., of said day for the purpose of considering the application of Highview Homes Inc., Marve Harwood, President, for the rezoning from residence district to business district of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

WHEREAS, the Zoning Board of Appeals on the 10th day of May, 1951, having rendered its decision granting the application of the petitioners to rezone from residence district to business district the property hereinafter described, for the purpose of conducting an Automobile Sales Agency, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a special meeting thereon on the 12th day of May, 1951, and the Town Board having made a thorough investigation of the proceedings had and taken before the Zoning Board of Appeals and having personally inspected the premises to be rezoned, as well as the property in its immediate vicinity on Harlem Road and Daniel Avenue.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone said premises from residence to business be and the same is hereby confirmed and approved.

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", subject to the following restrictions: (1) that said premises are used only for business purposes, and not Industrial, and (2) that in the event said premises are no longer used as an Automobile Sales Agency, this order of rezoning shall be null and void and the property shall revert to residential use only.

DESCRIPTION

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 24, Township 11, Range 7 of the Buffalo Creek Indian Reservation, located at the southeast corner of Harlem Road and Daniel Avenue and on a certain subdivision map or maps filed in the Erie County Clerk's Office under Cover No. 400 is shown as being 107 foot frontage on Harlem Road by 290 feet on Daniel Avenue.

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

Benedict T. Holtz, voting Aye,  
Henry Nagel, voting Aye,  
Felix T. Wroblewski, voting Aye,  
Joseph A. Nelbert, voting Aye,  
Stanley Bystrak, voting Aye,  
Carried: 5 Ayes, 0 Noes.  
Dated: June 4, 1951.

(seal) KENNETH T. HANLEY,  
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

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 14th day of June, 1951, and the last insertion being on the 21st day of June, 1951, and that not more than six days intervened between any two publications thereof.

Frank A. Taber, Jr.

17th day of

1951

Public in and for Erie County.

( RE ZONING GRANTED EDWARD L. MILLER - CAYUGA ROAD ).

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 4th day of June, 1951, there were:

PRESENT:

Benedict T. Holtz, Supervisor  
Henry Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman  
Stanley Bystrak, Councilman.

ABSENT: 0

Mr. Neibert presented the following resolution and moved its adoption:

WHEREAS, the Zoning Board of Appeals held a public hearing at the Town Hall in the Town of Cheektowaga, New York, on the 4th day of May, 1951, at 7:30 o'clock P. M., E.D.S.T., of said day, for the purpose of considering the application of Edward L. Miller for the rezoning from Residence District to First Industrial District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

WHEREAS, the Zoning Board of Appeals, on the 10th day of May, 1951, having rendered its decision granting the application of petitioners to rezone from residence district to First Industrial district the property hereinafter described, for the purpose of housing office and equipment of *Corvus Book & Mill-er Inc.*, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a special meeting thereon on the 12th day of May, 1951, and the Town Board having made a thorough investigation of the proceedings had and taken taken before the Zoning Board of Appeals, and having personally inspected the premises to be zoned, as well as the property in its immediate vicinity on Cayuga Road.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone said premises from residence to First Industrial District, be and the same is hereby confirmed and approved.

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 "Residence District" to "First Industrial District," subject to the following restrictions: (1) that said premises are used only for First Industrial purposes and not Second Industrial and, (2) that in the event said premises are no longer used for the housing of office and equipment the said property shall be used only for residential use only.

ALL THAT TRACT OF LAND OF LAND SURFACE is in the Town of Cheektowaga, County of Erie and State of New York, being part of Farm Lot 14, Township 11, Range 7, of the Holland Land Company's survey and beginning at a point on the west side of Cayuga Road as a 66 foot highway at a distance, as measured along the westerly line of Cayuga Road, 388 feet northerly from the intersection of the north line extended of the property shown under Map Cover 1628 filed in the office of the Erie County Clerk, and the westerly side of Cayuga Road as a 66 foot highway; thence westerly at right angles to the west line of Cayuga Road as a 66 foot highway a distance of 200 feet; thence northerly parallel with Cayuga Road a distance of 212 feet; thence easterly 200 feet to the west line of Cayuga Road as a 66 foot highway; thence southerly along the west line of Cayuga Road to the point or place of beginning.

Cayuga Road, west side, north of Cleveland Drive.

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

Benedict T. Holtz, voting Aye.  
Henry Nagel, voting Aye.  
Felix T. Wroblewski, voting Aye.  
Joseph A. Neibert, voting Aye.  
Stanley Bystrak, voting Aye.  
Carried.

AYES: 5 NOES: 0 ABSENT: 0

Dated: June 4, 1951.

EDWARD L. MILLER  
Town Clerk  
Town of Cheektowaga

(SEAL)



Posted as follows on the 12th day of June, 1951;  
Town Hall Bulletin Board;  
Telephone Pole No. 120/1, Cayuga Road;  
Telephone Pole No. 121, Cayuga Road;  
Telephone Pole No. 123, Cayuga Road;  
Telephone Pole No. 124, Cayuga Road;  
Telephone Pole No. 49, Cayuga Road;  
Telephone Pole No. 120, Cayuga Road;

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Hereto attached is a copy of notice published in the Cheektowaga Times;

Board of Appeals  
Erie County, New York, held at the  
Town Hall, in said Town of Cheek-  
towaga on the 4th day of June,  
1951, there were:

**PRESENT:**

Benedict T. Holtz, Supervisor  
Henry Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman  
Stanley Bystrak, Councilman.

**ABSENT: 0**

Mr. Neibert presented the fol-  
lowing resolution and moved its  
adoption:

May, 1951, at 7:30 o'clock P. M.,  
E.D.S.T., of said day, for the pur-  
pose of considering the application  
of Edward L. Miller for the rezoning  
from Residence District to First In-  
dustrial District of the property  
hereinafter described, and amending  
the Zoning Map and Ordinance ac-  
cordingly, and

**WHEREAS**, there was afforded all  
parties interested an opportunity to  
be heard in respect to such pro-  
posed application and amendments,  
and

**WHEREAS**, the Zoning Board of  
Appeals, on the 10th day of May,  
1951, having rendered its decision  
granting the application of petition-  
ers to rezone from residence dis-  
trict to First Industrial district the  
property hereinafter described, for  
the purpose of housing office and  
equipment of Dersam Beals & Mill-  
er Inc., and the said decision of the  
Zoning Board of Appeals having  
been duly presented to the Town  
Board at a special meeting thereon  
on the 12th day of May, 1951, and  
the Town Board having made a thor-  
ough investigation of the proceed-  
ings had and taken taken before the  
Zoning Board of Appeals, and hav-  
ing personally inspected the premi-  
ses to be zoned, as well as the prop-  
erty in its immediate vicinity on  
Cayuga Road.

**BE IT RESOLVED**, that the deci-  
sion of the Zoning Board of Appeals  
granting the application of petition-  
ers to rezone said premises from  
residence to First Industrial District,  
be and the same is hereby confirmed  
and approved.

**NOW, THEREFORE**

**BE IT RESOLVED**, by this Town  
Board that the Ordinance adopted  
December 21, 1942 and as now  
amended, entitled "Zoning Ordi-  
nance" be, and the same hereby is  
amended by changing the zoning  
map so as to change the following  
described property from that of  
"Residence District" to "First Indus-  
trial District," subject to the follow-  
ing restrictions: (1) that said prem-  
ises are used only for First Industrial  
purposes and not Second Industrial  
and, (2) that in the event said prem-  
ises are no longer used for the hous-  
ing of office and equipment this  
order of Rezoning shall be null  
and void and the property shall re-  
vert to Residential use only.

**DESCRIPTION**

**ALL THAT TRACT OR PARCEL  
OF LAND SITUATE** in the Town  
of Cheektowaga, County of Erie and  
State of New York, being part of  
Farm Lot 14, Township 11, Range 7,  
of the Holland Land Company's sur-  
vey and beginning at a point on the  
west side of Cayuga Road as a 66  
foot highway at a distance, as meas-  
ured along the westerly line of Ca-  
yuga Road, 388 feet northerly from  
the intersection of the north line  
extended of the property shown un-  
der Map Cover 1628 filed in the of-  
fice of the Erie County Clerk, and the  
westerly side of Cayuga Road as a  
66 foot highway; thence westerly at  
right angles to the west line of Ca-  
yuga Road as a 66 foot highway a  
distance of 200 feet; thence northerly  
parallel with Cayuga Road a dis-  
tance of 212 feet; thence easterly  
200 feet to the west line of Cayuga  
Road as a 66 foot highway; thence  
southerly along the west line of  
Cayuga Road to the point or place  
of beginning.

Cayuga Road, west side, north of  
Cleveland Drive.

Seconded by Mr. Nagel and duly  
put to a vote which resulted as fol-

Joseph A. Neibert, voting Aye.  
Stanley Bystrak, voting Aye.  
Carried.

AYES: 5 NOES: 0 ABSENT: 0  
Dated: June 4, 1951.

KENNETH T. HANLEY,  
Town Clerk  
Town of Cheektowaga,  
(SEAL)

STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA } ss.

WILLARD C. ALLIS, of the Town of Cheekto-  
waga, in said County of Erie, being duly sworn,  
deposes and says that he is the publisher of the  
Cheektowaga Times, a public newspaper pub-  
lished weekly in said Town; that the notice, of  
which the annexed printed slip, taken from said  
newspaper is a copy, was inserted and published  
in said paper once a week for *two* weeks:  
first publication *June 7, 1951*.....  
last publication *June 14, 1951*.....;  
and that no more than six days intervened be-  
tween publications.

*Willard C. Allis*

Sworn to before me this *15<sup>th</sup>*.....

day of *June*....., 19*51*..

*Eve J. Allis*

Notary Public in and for Erie County, N. Y.

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1953  
Registered No. 5029



Having considered and approved the adoption.

WHEREAS, the Zoning Board of Appeals held a public hearing at the Town Hall in the Town of Cheektowaga, New York, on the 4th day of May, 1951, at 7:30 o'clock P.M. E.D.S.T., of said day for the purpose of considering the application of Fred Ziolkowski for the rezoning from residence district to business district of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

WHEREAS, the Zoning Board of Appeals on the 10th day of May, 1951, having rendered its decision granting the application of the petitioners to rezone from residence district to business district the property hereinafter described, for the purpose of conducting a Delicatessen Store, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a special meeting thereon on the 12th day of May, 1951, and the Town Board having made a thorough investigation of the proceedings had and taken before the Zoning Board of Appeals and having personally inspected the premises to be rezoned, as well as the property in its immediate vicinity on Harlem Road and Parker Street.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone said premises from residence to business be and the same is hereby confirmed and approved.

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", subject to the following restrictions: (1) that said premises are used only for business purposes, and not Industrial, and (2) that in the event said premises are no longer used as a Delicatessen Store, this order of rezoning shall be null and void and the property shall revert to residential use only.

#### DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, and State of New York, being part of Lots No. 72 and 73, Township 10, Range 7, of the Holland Land Company's survey and more particularly described as follows:

BEGINNING at the intersection of the west line of Harlem Road and the south line of Parker Avenue; thence along said south line of Parker Avenue as the same is laid out on a map filed in the Erie County Clerk's Office under Cover No. 311, Two hundred forty feet; thence south parallel with the said west line of Harlem Road sixty feet; thence east parallel with said south line of Parker Avenue two hundred forty feet to said west line of Harlem Road; thence north along said west line of Harlem Road sixty feet to the place of beginning.

Southwest corner of Harlem Road and Parker Street.

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

Benedict T. Holtz, voting Aye,  
Henry Nagel, voting Aye,  
Felix T. Wroblewski, voting Aye,  
Joseph A. Neibert, voting Aye,  
Stanley Bystrak, voting Aye,  
Carried: 5 Ayes, 0 Noes.

Dated: June 4, 1951.

KENNETH T. HANLEY,

(seal)

2jcl4

Town Clerk  
Town of Cheektowaga,  
Erie County, New York

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Posted as follows on the 12th day of June, 1951;  
Town Hall Bulletin Board;  
Telephone Pole No. 1340, Harlem Road;  
Telephone Pole No. 457, Harlem Road;  
Telephone Pole No. 141, Harlem Road;  
Telephone Pole No. 16 1-4, Harlem Road;  
Telephone Pole No. 1378, Harlem Road;  
Telephone Pole No. 1368, Harlem Road.

Hereto attached is a copy of notice published in the Depew Herald;

STATE OF NEW YORK  
COUNTY OF ERIE

Resolving Granted

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, New York, on the 4th day of June, 1951, there were:

PRESENT:

Benedict T. Holtz, Supervisor  
Henry Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Neilbert, Councilman

and part of Lots No. 12 and 13, Township 10, Range 7, of the Holland Land Company's survey and more particularly described as follows:

**BEGINNING** at the intersection of the west line of Harlem Road and the south line of Parker Avenue; thence along said south line of Parker Avenue as the same is laid out on a map filed in the Erie County Clerk's Office under Cover No. 311, Two hundred forty feet; thence south parallel with the said west line of Harlem Road sixty feet; thence east parallel with said south line of Parker Avenue two hundred forty feet to said west line of Harlem Road; thence north along said west line of Harlem Road sixty feet to the place of beginning.

Southwest corner of Harlem Road and Parker Street.

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

Benedict T. Holtz, voting Aye,  
Henry Nagel, voting Aye,  
Felix T. Wroblewski, voting Aye,  
Joseph A. Neilbert, voting Aye,  
Stanley Bystrak, voting Aye,  
Carried: 5 Ayes, 0 Noes.  
Dated: June 4, 1951.

(seal) KENNETH T. HANLEY,  
Town Clerk  
Town of Cheektowaga,  
Erie County, New York

Sworn to before me this 16th day of

July 1951

Notary Public in and for Erie County.

ln-49 5803

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 weeks, the first insertion being on the 14th day of June, 1951, and the last insertion being on the 21st day of June, 1951, and that not more than six days intervened between any two publications thereof.

Frank A. Taber, Jr.

( RE-ZONING GRANTED FRED ZIOLKOWSKI )

WHEREAS, the Zoning Board of Appeals held a public hearing at the Town Hall in the Town of Cheektowaga, New York, on the 4th day of May, 1951, at 7:30 o'clock P.M. E.D.S.T., of said day for the purpose of considering the application of Fred Ziolkowski for the rezoning from residence district to business district of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

WHEREAS, the Zoning Board of Appeals on the 10th day of May, 1951, having rendered its decision granting the application of the petitioners to rezone from residence district to business district the property hereinafter described, for the purpose of conducting a Delicatessen Store, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a special meeting thereon on the 12th day of May, 1951, and the Town Board having made a thorough investigation of the proceedings had and taken before the Zoning Board of Appeals and having personally inspected the premises to be rezoned, as well as the property in its immediate vicinity on Harlem Road and Parker Street.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone said premises from residence to business be and the same is hereby confirmed and approved.

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", subject to the following restrictions: (1) that said premises are used only for business purposes, and not Industrial, and (2) that in the event said premises are no longer used as a Delicatessen Store, this order of rezoning shall be null and void and the property shall revert to residential use only.

#### DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, and State of New York, being part of Lots No. 72 and 73, Township 10, Range 7, of the Holland Land Company's survey and more particularly described as follows:

BEGINNING at the intersection of the west line of Harlem Road and the south line of Parker Avenue; thence along said south line of Parker Avenue as the same is laid out on a map filed in the Erie County Clerk's Office under Cover No. 311, Two hundred forty feet; thence south parallel with the said west line of Harlem Road sixty feet; thence east parallel with said south line of Parker Avenue two hundred forty feet to said west line of Harlem Road; thence north along said west line of Harlem Road sixty feet to the place of beginning.

Southwest corner of Harlem Road and Parker Street.

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

Benedict T. Holtz, voting Aye,  
Henry Nagel, voting Aye,  
Felix T. Wroblewski, voting Aye,  
Joseph A. Neibert, voting Aye,  
Stanley Bystrak, voting Aye,  
Carried: 5 Ayes, 0 Noes.

Dated: June 4, 1951.

KENNETH T. HANLEY,

(seal)

Town Clerk

2jcl4

Town of Cheektowaga,  
Erie County, New York

Posted as follows on the 12th day of June, 1951;  
Town Hall Bulletin Board;  
Telephone Pole No. 1340, Harlem Road;  
Telephone Pole No. 457, Harlem Road;  
Telephone Pole No. 141, Harlem Road;  
Telephone Pole No. 16 1-4, Harlem Road;  
Telephone Pole No. 1378, Harlem Road;  
Telephone Pole No. 1368, Harlem Road.

85

Hereto attached is a copy of notice published in the Depew Herald;

STATE OF NEW YORK  
COUNTY OF ERIE

Rezoning Granted

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, New York, on the 4th day of June, 1951, there were:

PRESENT:

Benedict T. Holtz, Supervisor  
Henry Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman  
Stanley Bystrak, Councilman

ABSENT: None.

Mr. Wroblewski offered the following resolution and moved its adoption.

WHEREAS, the Zoning Board of Appeals held a public hearing at the Town Hall in the Town of Cheektowaga, New York, on the 4th day of May, 1951, at 7:30 o'clock P.M. E.D.S.T., of said day for the purpose of considering the application of Fred Ziolkowski for the rezoning from residence district to business district of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

WHEREAS, the Zoning Board of Appeals on the 10th day of May, 1951, having rendered its decision granting the application of the petitioners to rezone from residence district to business district the property hereinafter described, for the purpose of conducting a Delicatessen Store, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a special meeting thereon on the 12th day of May, 1951, and the Town Board having made a thorough investigation of the proceedings had and taken before the Zoning Board of Appeals and having personally inspected the premises to be rezoned, as well as the property in its immediate vicinity on Harlem Road and Parker Street.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone said premises from residence to business be and the same is hereby confirmed and approved.

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", subject to the following restrictions: (1) that said premises are used only for business purposes, and not Industrial, and (2) that in the event said premises are no longer used as a Delicatessen Store, this order of rezoning shall be null and void and the property shall revert to residential use only.

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Southwest corner of Harlem Road and Parker Street.

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

Benedict T. Holtz, voting Aye,  
Henry Nagel, voting Aye,  
Felix T. Wroblewski, voting Aye,  
Joseph A. Neibert, voting Aye,  
Stanley Bystrak, voting Aye,  
Carried: 5 Ayes, 0 Noes.  
Dated: June 4, 1951.

(seal) KENNETH T. HANLEY,  
Town Clerk  
Town of Cheektowaga,  
Erie County, New York

Frank A. Taber, Jr.

being duly sworn, deposes and says that he is the

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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 14th day of June, 1951, and the last insertion being on the 21st day of June, 1951, and that not more than six days intervened between any two publications thereof.

Frank A. Taber, Jr.

7th day of

June, 1951

at Depew, Erie County, New York.

The Following persons appeared before the Board protesting against foul odors emanating from the U.S. Rubber Reclaiming Company's plant on William Street;

Harry Pawloski,  
Mrs. Harry Pawloski,  
Mary Owczarczak  
Rev. Bernard A. Bendkowski, Chaplain, Immaculate Heart of Mary Home,  
William Street and Kennedy Road;  
Clara Owczarczak,  
Joseph Pyszczyński,  
Mrs. B. Orlikowski,  
Stella Wilkalski,  
Felix Wilkalski,  
Stanley Walczak,  
Francis Owczarczak,

Mr. Robert Cowen, representing the U.S. Rubber Reclaiming Company, stated that his company is doing all in its power to eliminate the odors that are coming from the plant.

The Supervisor announced that a public hearing will be held on June 20th, 1951, at 7:30 P.M., E.D.S.T., with officials of the U.S. Rubber Plant and the neighbors living in the vicinity of the plant, to determine what can be done in regard to eliminating the said odors.

( Complete minutes of the June 4th, 1951, meeting are hereto attached ).

Meeting held at Town Board Office  
will be held June 20, 1951, at 7:30 P.M. Eastern Daylight  
Mr. Robert Y. "Please take notice that the meeting  
close this meeting."  
that both of them be here. The first meeting was held  
meeting to hold it. Twelve were at the meeting.

Councilman Bystrak advised the Town Board that he expects to present a resolution in regard to the proposed change in highway specifications for new highways in the Town at the next regular Town Board meeting.

Councilman Bystrak requested that the Town Clerk communicate with Mr. Wilfred Schultz in regard to a hole in the ground on premises on Harlem Road, near Grunner Street, which, according to the County of Erie, should of been covered, on or about ninety days after the sale of the property to Mr. Schultz.

Councilman Bystrak also requested that the Town Clerk request a reply from Mr. Schultz as to just what his intentions are in regards to the filling up of the hole.

Councilman Neibert was granted the floor and related to the Town Board that residents in the Town are complaining about the old fashioned street lights on Genesee Street and Cleveland Drive. Ordered referred to the Chairman of the Utilities Committee.

The Chief of Police was granted the floor and made the following request;

1- The hiring of two or three laborers to install the new speed regulations signs in the Town;

2- That the Town Highway Department be requested to construct a spur road near the Town Hall in order the police cars can avoid the one way turn on Union Road when answering vital and important police calls;

3- Funds with which to carry on Civil Defense work;

4- The need of a secretary to do various typing work in connection with Civil Defense;

5- That the signal light at Union Road and William Street be equipped with green arrow for turns on William Street in order to facilitate the flow of traffic on Union Road.

Ordered referred to the Town Board and the Town Attorney.

Councilman Nagel moved, seconded by Councilman Neibert, that all claims presented at this meeting for audit be paid and that the Town Clerk be authorized to draw orders on the Supervisor for payment of same.

( Orders No. 4977 to No. 5118 drawn on the Supervisor ).

Councilman Nagel moved, seconded by Councilman Neibert, to adjourn.

SEAL:

Kenneth T. Hanley,  
Town Clerk.

*Kenneth T. Hanley*

MINUTES OF THE HEARING  
HELD  
June 4, 1951,  
at 2:30 o'clock P. M.,  
L.D.S.T.  
Before  
The Town Board of the Town of  
Cheektowaga, New York

-----  
TOWN OF CHEEKTOWAGA, NEW YORK

VS.

UNITED STATES RUBBER RECLAIMING COMPANY, INC.  
-----

Town Hall  
Broadway and Union Rd.  
Cheektowaga, New York.  
\_\_\_\_\_

FELIX WILKOLOSKI,

"I really don't

know how to start this. The foul odors are still bothering us. We had complained here before, but so far it hasn't been improved. We are still here to protest the same thing. I don't know how injurious the fumes are, but they are still unpleasant. One of the biggest beefs I have is when I sleep and the wind shifts, and I have to get up to close the window. I have had a number of colds and the children have, too. Now, I don't know if that is due to the fumes."

SUPERVISOR BENEDICT T. HOLTZ: "About a month ago, members of the Committee met with Mr. Nesbitt and Mr. Twelvetrees of the U. S. Rubber Company, and the Town Board was assured that odors would be taken care of within ten days. They were using a new process. At that time we were assured that the odor would be taken care of, but it seems that the process has not taken care of the odor. It's just as bad as before. We have gone along with the company for a long period of time. The representatives assured us that they were trying to alleviate the situation. We are now confronted with the fact that the company is not able to alleviate the situation; and I think if something is not done very shortly, we will have to take some action. The company actually is a nuisance to the people of the Town of Cheektowaga. I just recently had a complaint from as far as Williamsville. It is getting serious, then. If the odor can be noticed as far as Williamsville, then how about the people living in close proximity to the company? It must be at least six or seven miles to Williamsville. We have had company officials here, and Mr. Twelvetrees, who is familiar



with the situation, is ill and unable to be here. You must have talked about this before you came."

MR. ROBERT COWAN, Vice President, U. S. Rubber Reclaiming Co., Inc.: "I am sorry that Mr. Nesbitt could not be here in my place. I will tell you what we have done up to the present time. You spoke of the new process, in that it was tried and did not work. We are now working with Du Pont, and just recently they gave us a material which we thought was better. Only you people would know if it is better.

(Dissent expressed by people at the hearing.)

MR. COWAN (Continuing): "We still are working with the Du Pont people. I have been in the rubber business all my life. I have grown up in it. I know it backward and forward. In my experience there hasn't been anything about it that has been injurious. With these three machines, we have had, one of the machines is in perfect order and the other two will be corrected to that point. With that done, the smoke will be washed with an activating agent and will eliminate any odor from the smoke. The volume from the other two machines today is too great and we cannot do that today. There is no question that the other two machines will work just as well as the first one, and you will not be bothered by it then. We want to eliminate anything that comes from our plant. We want the people of Cheektowaga to be proud of the plant."

WOMAN SPECTATOR: "I have some evergreens, and you must have some chemical from your company, because they are simply burned. It even bothers the throats. I know there are many people that complain of their throat. We never had any trouble like that before. The landscaping man said that some kind of a chemical is getting the trees like that."

MR. COWAN: "We believe that we will eliminate any troublesome odors that come from our plant."

MR. HARRY PELOWSKI, "About the fumes that the rubber company is trying to do something about. It seems that the stink is bad, and if you have to close a window---and me, I have to work nights---and you have to close a window and it still smells, I think the people around there wouldn't mind if the plant folded up and moved out, because it's terrible. I have one child in the hospital, and we took a test pattern and left one child at my mother-in-law's, and this girl is well yet. We must do something about it and prolonging it will not help. They are saying that they have a solution, and that solution smells like skunks. If you go to church or stand out on the corner it all comes out of the receivers."

FELIX T. WROBLEWSKI, COUNCILMAN: "That's true about the receivers. We had a procession at St. Josaphat's Church and we all got a good whiff of it."

MR. PELOWSKI: "That plant has been up there three years or a little better and they didn't do anything about it. They put in the papers that they are putting grass around the place and beautifying it; but the stink is beautiful, too. Let's all take action. Close them down and that's all."

MR. STANLEY WALCZAK, "I have been on the William Street Taxpayers Association for 13 or 14 months. I am mad at the plant and at the Town Board. I think it's time to take action. Either they improve it or not. That place is no better now than it was 14 or 15 months ago, when they started some process that smells up the whole neighborhood. I brought up 12 children in the same area. I doubt if I could

get the same results under the present circumstances. We moved from Buffalo, here, because we wanted to have fresh air. And we did have fresh air until about 14 or 15 months ago, when they started. When they started letting go through the sewers. We had to keep the windows closed in the summertime, when it was too hot. I don't think the people out here are entitled to such conditions. These people have been here three years. Did they come out here to kill off the youth of Cheektowaga? To experiment? The gentleman said, 'I don't know how the people feel about it.' I would say make them move out. Let them leave us alone. Let them leave us in peace. Let them stop kidding us."

STELLA WILKOLOSKI, "I have a daughter, and she doesn't feel good. Myself, if I have a window open, I feel sick to my stomach. I must have fresh air, and that is why I came out here for about three years ago. It was pleasant before, but now it is rather unpleasant. My daughters have lots out here and would build, but will not build under the present conditions. A good many other people feel the same way about it. That's all I can say."

MRS. HARRY PELOWSKI, "I am Harry's wife, and I am in a very nervous condition. I am getting fainting spells and the doctor said it is because I am not eating regularly. My children are even throwing up in school, and I get a sore throat from it."

MR. STANLEY WALCZAK: "You were here three years. I spoke to the former Supervisor and I asked him why they were allowed to come in here. When they came in they were supposed to operate under some process. That's what he told me. How

were you operating for the first two years that we didn't smell it? It was the same plant."

MR. COWAN: "There was no difference in the processes that we are using."

MR. WALCZAK: "You mean to tell me that two or three years ago you were doing the same thing you are doing now? It was only about 14 months ago that there was the first smell. I had a misunderstanding with Mr. Wroblewski about it, in fact. Mr. Wroblewski complained about the smell and I said 'What smell, the shoe-polish smell from the fertilizer factory?' He said 'no' and I didn't smell it until a few days later. You are doing something you didn't do during the first two years. After all, we want to live."

MR. WROBLEWSKI: "I think they are operating on a bigger scale now; and at one time Mr. Nesbitt said they were throwing it in the sewer because the underwriters said it was inflammable and this was the safest place for it."

MR. COWAN: "You get it with the wind, is that it?"

MR. WROBLEWSKI: "We get it with the wind and without the wind."

MR. COWAN: "We are troubled, just as you are. When we first started or for a year or two after you people had no odors."

MR. WILKOLOSKI: "We had the same odors but not so strong. It has spread right away and is beginning to go to Williamsville."

MR. COWAN: "This I know: I am close to operations and there has been no change in operation, in what chemicals we use, or anything."

MR. WILKOLOSKI: "If they operated efficiently and clean, we would not be opposed to them. We don't object to the plant, but to the smell. After all, we are not just going to come down here two or three times just to cause you a nuisance."

MR. COWAN: "If for a year and a half we were not causing trouble, we can get back to it."

MR. PELOWSKI: "My point is this way. We don't care how much noise you make or how much you run the shop, but the smell is terrible. When a child comes home from school and says, 'Mommie, I threw up,' and first thing you get a doctor bill, and I know you don't like to live in that all day. So you can have the plant, but let's run it on the 'legit' and get it clean. The Police are even complaining and the orphanage, and what will we do? Sit there while nothing is being done about it? That's going on for three years, now."

MR. COWAN: "I want to do everything I can. You people don't know. If we didn't have odors that were objectionable for a year and a half----"

MR. PELOWSKI: "The reason the people are saying that is that you people didn't have receivers there. Now we have receivers there and we get all of that. That's all the way up and down the street, and they have put stuff in there and when you come home from work at night it smells awful, and I am tired of it. The majority of the people who are working nights are tired of it. I am not rich so that I can just move someplace else. You have had the chance long enough to get the smell controlled. If you have installed ~~any~~ equipment, it is poor equipment. In other words, You are experimenting. You say you have worked with rubber all your life. You should know how to control that if you have been working in rubber all your life.

It's just like being a plumber. If there's a leak you should know how to fix it."

MR. COWAN: "You have to find the leak, first."

MR. WROBLEWSKI: "When we took office in 47 we complained right from the beginning. Since that, it was deliberately put in there."

MR. WALCZAK: "When their sewer wasn't connected, they came from in front of my place. Through the sewer we got it double barrel. No matter which way the wind blows, we get a whiff of it."

REV. BERNARD A. BLONKOWSKI, Immaculate Heart of Mary Home for Children, William and Kennedy Road:

"It never was right from the beginning. It was growing and growing and there is a limit. There is only so much you can stand. The biggest mistake was to let you in here. They knew that from a thing like that things like this will happen. You cannot expect 400 children to move out from here. They talk of forcing you to move out. I don't know if they would succeed; but you must succeed to stop the smell. There is no use in closing the window. It goes right through you. The people should have protested more from the beginning. Fourteen or fifteen years ago the fertilizer factory smelled. Now it is a stronger and worse smell. I can think of no worse smell than that. Something can be done. You don't smell the fertilizer factory. It would only cost you a little money. That's where the trouble is. There is no question that you can eliminate it in the shortest possible time, not in 3 or 4 years. There is no question about that, I am sure. There is no use asking you how long it will take. You are just like the railroad. They are supposed to eliminate the smoke and nothing is still being

done about it."

MR. HOLTZ: "The reason we wanted the people to register a protest, we will send a copy of these minutes to Mr. Nesbitt and Mr. Twelvetrees, and if satisfactory we will call a public hearing for the 20th and have both Mr. Nesbitt and Mr. Twelvetrees here, and have have the people and ~~XXXXXX~~ representatives from that area sit down with Mr. Nesbitt and have him give us a definite answer what they are going to do or the Town will have to take some action."

MAN SPECTATOR: "We have waited long enough. We should start action now. We shouldn't wait one more week or ~~one~~ more month. They will just drag for another 10 years like that. The Town Board should start action right now. Let them move right now. They are only a nuisance. You can't even eat your supper in your house."

MR. WALCZAK: "Were you with the company at the time they moved to Cheektowaga?"

MR. COWAN: "Yes."

MR. WALCZAK: "What information can you give this Town Board? We would like to know how they operated---cold process or what."

MR. STANLEY BYSTRAK, Councilman: "Mr. Supervisor, I would like to ask the Town Attorney if this Town Board could pass a resolution restraining the company from working until a final decision can be made."

GEORGE B. DOYLE, Town Attorney: "The only one who could order the plant to stop business is the Court."

MR. WROBLEWSKI: "They should convey that to the factory, that this is the last straw. We have prolonged it too long."



MR. HOLTZ: "The Town Board is going to take some drastic step. We will force you to quit operations. The company has promised us and promised us to do these things. At the same time we are not getting any results. You know the tempers of these people now. They have put up with it for three years. The people who live to the southeast of the plant probably don't get so much odor as those who get the southwest wind. Those people are carrying the brunt of that ~~XXXX~~ odor. We realize that we are members of the Town Board, but these people want relief. Mr. Nesbitt and Mr. Twelvetrees couldn't come up on short notice probably and didn't come. That is why I want them to come here on June the 20th. We want the company officials here, because we are considering a drastic step. The Town Board is reluctant to take Court action, but if necessary, we will."

MR. COWAN: "I will convey the feelings of the people and they will be prepared to come before you. It is unfortunate that they couldn't be here today."

REV. BENDKOWSKI: "I don't know if you had in your minds what I had, that it was supposed to be a cold rubber process, only cutting rubber."

MR. WROBLEWSKI: "I asked Kenneth Hanley to find out what process they were supposed to use and he couldn't find it."

MR. KENNETH T. HANLEY, Town Clerk: "The petition specifically presents that there would be no odors."

WALTER J. MARYNOWSKI, Chief of Police: "It was my understanding that the Town Board wanted the plant to discontinue dropping any residue into the ~~wewers~~ sewers. They stopped about 50%."

They don't dump in the daytime, but the biggest odor comes between 12:00 at night and 12:00 in the morning. This company promised full cooperation about throwing that in the receivers. I patrol that area every morning. That is where I first get it, by the receivers. I live in that area. The spots further down get it second-hand. When the residue goes down the sewers it comes out of the receivers and comes right back. They have been using the receivers every night, so far as I know."

MR. COWAN: "You think you get a more concentrated odor certain periods of the day?"

MR. DOYLE: "Will you assure the Town Board that dumping in the sewer will be stopped as of today?"

MR. COWAN: "I will convey that message, but I cannot promise that."

MR. WROBLEWSKI: "A copy of these minutes should be sent to the officials of the company. Should we call this hearing?"

MR. HOLTZ: "Do you want the hearing called?"

MR. WROBLEWSKI: "Well, the people want immediate action."

MR. HOLTZ: "Ladies and Gentlemen, we couldn't institute the action today, because it would have to go to the Town Attorney and he would have to draw the necessary papers, and it would take about 30 days and we would have to hire expert help. It will cost the Town a lot of money. To start we would have to hire experts to assist the Town Attorney. On this matter the Town Board will have to wait, because it will cost a lot of money. I suggested to the Town Board that we have

another hearing and see what the company, and have the company President and their attorney. If we don't get a definite date, we will then take the necessary action. This Town Board is at a point now where they want to take this step. If the people want to give them one more chance and make this hearing for the 20th, and that is all the business we will have for that day, at 7:30 in the evening, and we will start the meeting promptly at 7:30 and we will send a copy of the notes of this meeting to both Mr. Twelvetrees and Mr. Nesbitt and demand that both of them be here. Is that satisfactory? We will then close this hearing."

MR. HANLEY: "Please take notice that the meeting will be held June 20, 1951, at 7:30 P. M., Eastern Daylight Saving Time. Town Board also take notice."

Dated: June 4, 1951.

AME

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, on the 18th day of June, 1951, at 7:30 P.M., E.D.S.T., there were:

PRESENT: Benedict T. Holtz  
Henry Nagel  
Felix T. Wroblewski  
Joseph A. Neibert  
Stanley Bystrak

Supervisor  
Councilman  
Councilman  
Councilman  
Councilman

Also present were; Town Clerk, Kenneth T. Hanley; Albert Kamm, Town Engineer, William Tadio; Building and Plumbing Inspector.

The chairman called the meeting to order.

Without any objections the reading of the minutes of the previous meeting were dispensed with until a later date.

#### No. 4. Petition presented for the establishment of Storm Drainage District

Mr. Neibert presented the following resolution and moved its adoption:

WHEREAS, a written petition dated June 16, 1951 in due form was duly filed with this Board for the establishment of a drainage district to be known as Drainage District No. 4 of the Town of Cheektowaga, and

WHEREAS, it duly appears that such petition has been duly signed by the owners of taxable property situate in the proposed district owning in the aggregate at least one-half of the assessed valuation of all the taxable real property of the proposed district, as shown upon the latest completed assessment roll of this Town, and likewise signed by resident owners owning taxable real property aggregating at least one-half of the assessed valuation of all the taxable real property of the proposed district owned by resident owners according to the latest completed assessment roll, and

WHEREAS, the said proposed district is bounded and described as follows:

#### DESCRIPTION OF PROPOSED STORM SEWER DISTRICT NO. 4, TOWN OF CHEEKTOWAGA, ERIE COUNTY, N. Y.

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Cheektowaga, Erie County, N. Y., in part of Lots 33, 34 and 35, Township 11, Range 7 of the Holland Land Co. Survey and more particularly described as follows:

BEGINNING at the intersection of the north line of lot 34 which is also the north line of Atwood Pl., and south line of Drainage Dist. No. 2 with the extension of the east line of sub-lot 37, as shown on a certain map or plan known as Subdivision Map of Parts of lots 34 and 35, Township 11, Range 7, made for Genesee Street City Line Land Co. filed in the Erie County Clerk's Office under Cover No. 520, which point is about 135 feet east of the west town line or the Buffalo east city line; running thence easterly along the north line of Lot 34 and the south line of Drainage Dist. No. 2 to the center of Pine Ridge Rd., thence running southerly along the various courses of the center line of said Pine Ridge Rd. to the center of the Scajaquada Creek Drain, which is about 100 feet south of the south line of lot 34; thence running easterly along the center of the Scajaquada Creek Drain westerly to its intersection with the west line of the Town of Cheektowaga, which is also the Buffalo East City Line; thence running southerly along the center line of the Town of Cheektowaga to the intersection with the center line of Genesee St.; thence running southeasterly along the center line of Genesee Street about 133.53 feet to the intersection of the easterly line of sub-lot 4, as shown on said map, extended southerly;

thence running northerly along the easterly line of sub-lots 4, 5 and 6, as shown on said map; thence running easterly along the south line of sub-lot 7, as shown on said map, a distance of 1.33 feet to the southeasterly

corner of said lot; thence running northerly along the easterly line of sub-lots 7, 8 and 9, as shown on said map, to the south line of sub-lot 37, as shown on said map; thence running easterly about 5 feet along the south line of said sub-lot 37 to the easterly line of the sub-lot 37; thence running northerly along the east line of said sub-lot 37 to the north line of lot 34, T. 11, R. 7 and the south line of Drainage Dist. No. 2, which is the point or place of beginning.

WHEREAS, the improvements proposed consist of the erection, construction and maintenance of a drainage system to serve the said district, including main and lateral drains, outlets and equipment in accordance with a map and plan prepared by Newell L. Nussbaumer and Irving Clarke, doing business as Nussbaumer and Clarke, Inc., Civil Engineers, duly licensed by the State of New York, which map and plan is a part of said petition, and

WHEREAS, the maximum amount proposed to be expended for the improvements as stated in the said petition is One Hundred Sixty Thousand Dollars (\$160,000.00),

NOW, THEREFORE, BE IT RESOLVED, pursuant to the provisions of Section 193 of the Town Law of the State of New York, it is hereby

ORDERED, that the Town Board of the Town of Cheektowaga, Erie County, New York, shall meet at the Town Hall, corner of Union Road and Broadway, in said Town, on the 2nd day of July, 1951, at 2:30 o'clock P.M., Eastern Daylight Saving Time, for the purpose of considering the said petition and hearing of persons interested in the subject thereof concerning the same, and be it

FURTHER 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 Cheektowaga Times, the official newspaper of this Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing as aforesaid, and that he shall also cause certified copies thereof to be posted conspicuously in five (5) public places within the proposed district not less than ten (10) nor more than twenty (20) days before the day designated for the hearing as aforesaid.

Resolving: T. Holtz voting Aye.  
Henry Nagel voting Aye.  
Felix T. Wroblewski voting Aye.  
Joseph A. Neibert voting Aye.  
Stanley Bystrak voting Aye.

Carried:  
AYES: 5 NOES: 0 ABSENT: 0

#### STATE OF NEW YORK ERIE COUNTY OFFICE OF THE CLERK OF THE TOWN OF CHEEKTOWAGA

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 18th day of June, 1951, and that the same is a correct and true transcript of such original resolution and the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 18th day of June, 1951.

KENNETH T. HANLEY,  
Clerk of the Town of Cheektowaga

Posted as follows on the 22nd day of June, 1951;

Town Hall Bulletin Board;  
Telephone Pole, North East Corner of Olcott Place and Vera Place;  
Telephone Pole No. 25, Andrews Avenue;  
Telephone Pole, South West Corner, Long Avenue and Schoedel Avenue;  
Telephone Pole No. 2338, Genesee Street;  
Telephone Pole No. 43, Alpine Place;  
Telephone Pole No. 2309, Genesee Street;  
Telephone Pole No. 330, corner Pine Ridge Road and Herbert Avenue;  
Telephone Pole No. 260, Pine Ridge Road;  
Telephone Pole, South West Corner of Genesee Street and Pine Ridge Road;

Hereto attached is a copy of notice published in the Cheektowaga Times;

At a regular meeting of the Town Board of Cheektowaga, Erie County, New York, held at the Town Hall in said Town of Cheektowaga, on the 18th day of June, 1951, at 7:30 o'clock P.M., Eastern Daylight Saving Time, there were:

PRESENT:

Benedict T. Holtz, Supervisor  
Henry Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman  
Stanley Bystrak, Councilman

ABSENT: None

Mr. Neibert presented the following resolution and moved its adoption:

WHEREAS, a written petition dated June 18, 1951 in due form was duly filed with this Board for the establishment of a drainage district to be known as Drainage District No. 4 of the Town of Cheektowaga, and

WHEREAS, it duly appears that such petition has been duly signed by the owners of taxable property situate in the proposed district owning in the aggregate at least one-half of the assessed valuation of all the taxable real property of the proposed district, as shown upon the latest completed assessment roll of this Town, and likewise signed by resident owners owning taxable real property aggregating at least one-half of the assessed valuation of all the taxable real property of the proposed district owned by resident owners according to the latest completed assessment roll, and

WHEREAS, the said proposed district is bounded and described as follows:

DESCRIPTION OF PROPOSED STORM SEWER DISTRICT NO. 4, TOWN OF CHEEKTOWAGA, ERIE COUNTY, N. Y.

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Cheektowaga, Erie County, N. Y., in part of Lots 33, 34 and 35, Township 11, Range 7 of the Holland Land Co. Survey and more particularly described as follows:

BEGINNING at the intersection of the north line of lot 34 which is also the north line of Atwood Pl. and south line of Drainage Dist. No. 2 with the extension of the east line of sub-lot 37, as shown on a certain map or plan known as Subdivision

file under Cover No. 125, the point is about 135 feet east of the west town line or the Buffalo east city line; running thence easterly along the north line of Lot 34 and the south line of Drainage Dist. No. 2 to the center of Pine Ridge Rd., thence running southerly along the various courses of the center line of said Pine Ridge Rd. to the center of the Scajaquada Creek Drain, which is about 100 feet south of the south line of lot 34; thence running easterly along the center of the Scajaquada Creek Drain westerly to its intersection with the west line of the Town of Cheektowaga, which is also the Buffalo East City Line; thence running northerly along the westerly town line of the Town of Cheektowaga to its intersection with the center line of Genesee St.; thence running northeasterly along the center line of Genesee Street about 133.53 feet to the intersection of the easterly line of sub-lot 4, as shown on said map, extended southerly; thence running northerly along the easterly line of sub-lots 4, 5 and 6, as shown on said map; thence running easterly along the south line of sub-lot 7, as shown on said map, a distance of 3.33 feet to the southeast corner of said lot; thence running northerly along the easterly line of sub-lots 7 to 33 inc., as shown on said map, to the south line of sub-lot 37, as shown on said map; thence running easterly about 5 feet along the south line of said sub-lot 37 to the easterly line of the sub-lot 37; thence running northerly along the east line of said sub-lot 37 to the north line of lot 34, T. 11, R. 7 and the south line of Drainage Dist. No. 2, which is the point or place of

STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA } ss.

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn,

deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks:

first publication JUN 21 1951

last publication JUN 21 1951

and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of JUN 23 1951 19.....

*Eve J. Allis*

Notary Public in and for Erie County, N. Y.

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1953  
Registered No. 5029

\*\*\*\*\*

88

In the Matter  
of  
The Application of Central Greyhound Lines, Inc. of  
New York for the consent of the local Authorities of the

TOWN OF CHEEKTOWAGA

for the operation of an omnibus line upon and over  
certain streets or avenues of the said Town of Cheektowaga

\*\*\*\*\*

The petitioner, Central Greyhound Lines, Inc. of New York  
respectfully alleges as follows:

FIRST: That your petitioner is and at all the times herein-  
after mentioned was a Corporation organized under and pursuant to the  
Transportation Corporations Law of the State of New York.

SECOND: That in the event that the consent of the local  
authorities of the Town of Cheektowaga shall be granted to your petitioner,  
your petitioner alleges that it will obey all laws and ordinances of said  
Town of Cheektowaga and all law of the State of New York, and elsewhere,  
and will operate said omnibus line so as to comply with all laws and all  
rules and regulations pertaining thereto,

WHEREFORE, your petitioner prays that the consent of the local  
authorities of the said Town of Cheektowaga be granted to your petitioner  
for the operation of an omnibus line along and over certain roads, streets  
or avenues of said Town of Cheektowaga, along the following route: viz.

On route #78 between U.S. Route #20 and  
the northeasterly Town Line of the Town  
of Cheektowaga,

and which said consent shall permit the said petitioner to extend the  
operation of said omnibus line to any point within the State of New York,  
and your petitioner further prays that a public hearing be held by said  
local authorities of the said Town of Cheektowaga, of which due and proper  
notice shall be given as required by law.

CENTRAL GREYHOUND LINES, INC. OF  
NEW YORK.

By: F.W. CELKE, ASST. TREASURER.

Councilman Wroblewski presented the following resolution and moved its  
adoption:

WHEREAS, Central Greyhound Lines, Inc., of New York, has filed with  
this Board a petition praying for the consent of the local authorities of  
the Town of Cheektowaga, New York, to the operation of an omnibus line  
upon certain roads, streets and avenues in said petition described and  
referred to,

NOW, THEREFORE, BE IT RESOLVED,  
that said petition be received and that a public hearing thereupon as  
provided by law be held at the Town Hall, corner of Union Road and Broadway,  
in said Town of Cheektowaga, on the 2nd day of July, 1951, at 2:30 o'clock,  
P.M., Eastern Daylight Saving Time, at which time all persons interested  
in said matter shall be given an opportunity to be heard, and

BE IT FURTHER RESOLVED,  
that notice of said public hearing be given by publishing notice thereof at  
least once in the Cheektowaga Times, newspaper published at Cheektowaga,  
New York.

Seconded by Councilman Meibert.

CARRIED: AYES: -5-.

Posted as follows on the 22nd day of June, 1951;

Town Hall Bulletin Board;  
Telephone Pole, North East Corner of Olcott Place and Vera Place;  
Telephone Pole No. 25, Andrews Avenue;  
Telephone Pole, South West Corner, Long Avenue and Schoedel Avenue;  
Telephone Pole No. 2338, Genesee Street;  
Telephone Pole No. 43, Alpine Place;  
Telephone Pole No. 2309, Genesee Street;  
Telephone Pole No. 330, corner Pine Ridge Road and Herbert Avenue;  
Telephone Pole No. 260, Pine Ridge Road;  
Telephone Pole, South West Corner of Genesee Street and Pine Ridge Road;

Hereto attached is a copy of notice published in the Cheektowaga Times;

Town of Cheektowaga, which is also the Buffalo East City Line; thence running northerly along the westerly town line of the Town of Cheektowaga to its intersection with the center line of Genesee St.; thence running northeasterly along the center line of Genesee Street about 133.53 feet to the intersection of the easterly line of sub-lot 4, as shown on said map, extended southerly; thence running northerly along the easterly line of sub-lots 4, 5 and 6, as shown on said map; thence running easterly along the south line of sub-lot 7, as shown on said map, a distance of 333 feet to the southeast corner of said lot; thence running northerly along the easterly line of sub-lots 7 to 33 inc., as shown on said map, to the south line of sub-lot 37, as shown on said map; thence running easterly about 5 feet along the south line of said sub-lot 37 to the easterly line of the sub-lot 37; thence running northerly along the east line of said sub-lot 37 to the north line of lot 34, T. 11, R. 7 and the south line of Drainage Dist. No. 2, which is the point or place of beginning.

and WHEREAS, the improvements proposed consist of the erection, construction and maintenance of a drainage system to serve the said district, including main and lateral drains, outlets and equipment in accordance with a map and plan prepared by Newell L. Nussbaumer and Irving Clarke, doing business as Nussbaumer and Clarke, Inc., Civil Engineers, duly licensed by the State of New York, which map and plan is a part of said petition, and

WHEREAS, the maximum amount proposed to be expended for the improvements as stated in the said petition is One Hundred Sixty Thousand Dollars (\$160,000.00).

NOW, THEREFORE, BE IT RESOLVED, pursuant to the provisions of Section 193 of the Town Law of the State of New York, it is hereby ORDERED, that the Town Board of the Town of Cheektowaga, Erie County, New York, shall meet at the Town Hall, corner of Union Road and Broadway, in said Town, on the 2nd day of July, 1951, at 2:30 o'clock P.M., Eastern Daylight Saving Time, for the purpose of considering the said petition and hearing of persons interested in the subject thereof concerning the same, and be it

FURTHER 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 Cheektowaga Times, the official newspaper of this Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing as aforesaid, and that he shall also cause certified copies thereof to be posted, consecutively in five (5) public places within the proposed district not less than ten (10) nor more than twenty (20) days before the day designated for the hearing as aforesaid.

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

Benedict T. Holtz, voting Aye.  
Henry Nagel voting Aye.  
Felix T. Wroblewski voting Aye.  
Joseph A. Neibert voting Aye.  
Stanley Bystrak voting Aye.

Carried:  
AYES: 5 NOES: 0 ABSENT: 0

STATE OF NEW YORK  
ERIE COUNTY  
OFFICE OF THE CLERK SS:  
OF THE TOWN OF  
CHEEKTOWAGA

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 18th day of June, 1951, and that the same is a correct and true transcript of such original resolution and the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 18th day of June, 1951.

KENNETH T. HANLEY,  
Clerk of the Town Board,  
Town of Cheektowaga, N.Y.

(SEAL)

June 21

STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA } ss.

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn,

deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks:

first publication JUN 21 1951

last publication JUN 21 1951

and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of JUN 23 1951 19.....

*Eve J. Allis*

Notary Public in and for Erie County, N. Y.

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1953  
Registered No. 5029

Posted as follows on the 22nd day of June, 1951;

Town Hall Bulletin Board;  
Telephone Pole No. 33, Transit Road;  
Telephone Pole No. 207, Transit Road;  
Telephone Pole No. 263, Transit Road;  
Telephone Pole No. 3, Transit Road;  
Telephone Pole No. 51, Transit Road.

Hereto attached is a copy of notice published in the Cheektowaga Times;

STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA } ss.

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks:  
first publication ..... JUN 21 1951 .....  
last publication ..... JUN 21 1951 .....  
and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of ..... JUN 23 1951 ..... 19.....

*Eve J. Allis*

Notary Public in and for Erie County, N. Y.

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1952  
Registered No. 5029

THE STATE OF NEW YORK has filed a petition with the local authorities of the TOWN OF CHEEKTOWAGA praying for the consent of the local authorities to the operation of an omnibus line upon certain roads, streets or avenues in said TOWN OF CHEEKTOWAGA, more particularly set forth and described in said petition, and that a public hearing will be held upon said matter by the Town Board of the Town of Cheektowaga, at the Town Hall, corner of Union Road and Broadway in said Town of Cheektowaga on the 2nd day of July, 1951 at 2:30 o'clock P.M., E.D.S.T., at which time all persons interested in said matter will be given an opportunity to be heard, and that at the conclusion of said meeting said petition will be considered and action taken by said local authorities.

KENNETH T. HANLEY  
Town Clerk  
Town of Cheektowaga,  
New York

Dated: June 18, 1951.



Councilman Neibert presented the following resolution and moved its adoption: 89

RESOLVED, that the Town Clerk be authorized and directed to issue Building Permits on applications processed by the Petitions Committee on June 9, 1951 and June 16, 1951, after same have been approved by the Building Inspector.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -5-.

Councilman Neibert presented the following resolution and moved its adoption:

RESOLVED, that the bid of R and R Company to construct sanitary sewers in Homesgarth Avenue, in the Town of Cheektowaga, for the sum of \$4,458.00, be accepted, said work to be done in accordance with plans and specifications, and that the Consulting Engineers and the Town Attorney prepare the necessary contract.

Seconded by Councilman Nagel.

CARRIED: AYES: -5-.

Councilman Wroblewski presented the following resolution and moved its Adoption:

RESOLVED, that the Subdivision Map of Hunting Road, prepared by Nussbaumer and Clarke, Engineers, dated April 3, 1951, be approved and ordered filed in the Town Clerk's Office.

Acceptance of this Subdivision Map is subject to any proposed change in present Ordinances to regulate the construction of Public Improvements in the Town of Cheektowaga.

Seconded by Councilman Bystrak.

CARRIED: AYES: -5-.

Councilman Neibert presented the following resolution and moved its adoption:

RESOLVED, that the Niagara Mohawk Electric Company be authorized and directed to remove Pole No. 3087 on Genesee Street, in the Town of Cheektowaga, New York, on account of the construction work being done on the New York State Thru-way.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -5-.

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that Ray's Kendall Service, William Street and Cayuga Creek Road, operated by Ray Zbyewski, be added to the towing list of the Police Department.

Seconded by Councilman Bystrak.

CARRIED: AYES: -5-.

Councilman Neibert presented the following resolution and moved its adoption:

RESOLVED, that the Niagara Mohawk Power Corporation be and it is hereby authorized to install 4000 lumen lamps on poles No's. 1726 and 1656, and to change the following 2500 lumen lamps to 4000 lumen lamps on poles No's. 1746, 1630, 1626, 1620, 1589, 1572 and 1557, and it is further

RESOLVED, that said Niagara Mohawk Power Corporation is further authorized to re-locate lamp on Pole No. 1716 to Pole 1706, and to increase the lumen lamp from 2500 to 4000.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -5-.

Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, St. Luke's Church has requested the installation of a street light at the corner of Maryvale Drive and Union Road, be it

RESOLVED, that the New York State Electric and Gas Corporation be requested to install a street light on the first pole on the south side of Maryvale Drive, west of Union Road.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -5 .

**NOTICE OF PUBLIC HEARING - ORDINANCE TO REGULATE THE CONSTRUCTION OF PUBLIC IMPROVEMENTS IN THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK**

of Cheektowaga, Erie County, State of New York, on the 18th day of June, 1951, at 7:30 o'clock P.M. Eastern Daylight Saving Time, there were:

**PRESENT:**

Benedict T. Holtz, Supervisor  
Henry Nagel, Councilman  
Stanley Bystrak, Councilman  
Joseph Neibert, Councilman  
Felix Wroblewski, Councilman

**ABSENT:** None

Councilman Bystrak presented the following resolution and moved its adoption:

**RESOLVED**, that pursuant to the provisions of the Town Law of the State of New York, the Town Board of the Town of Cheektowaga, Erie County, New York, shall meet at the Town Hall, corner of Union Road and Broadway, in said Town of Cheektowaga, on the 2nd day of July, 1951, at 2:30 o'clock P.M., Eastern Daylight Saving Time, for the purpose of considering the advisability of adopting an ordinance to regulate the construction of public improvements on highways in the Town of Cheektowaga, Erie County, New York, in the manner following, and that all persons interested in said ordinance may attend at that time and be heard:

**AN ORDINANCE TO REGULATE THE CONSTRUCTION OF PUBLIC IMPROVEMENTS IN THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.**

No person, firm or corporation shall install, construct or perform any work incident to the installation and/or construction of any public improvement or public road, or highway in the Town of Cheektowaga without first having obtained a permit therefor, to be issued by the Town Clerk, with the approval of the Town Board after certification by the Town Engineers that the plans and specifications as submitted by the applicant comply with the specifications and requirements of the Town of Cheektowaga, New York now in existence or as herein-after changed and amended. The fee for such permit shall be the sum of Ten Dollars (\$10.00).

The application for such permit shall be made on forms furnished by the Town of Cheektowaga, New York, and shall contain such information as the Town Engineers of the Town of Cheektowaga, New York shall require to determine that the proposed improvements will conform with the specifications and requirements of the Town of Cheektowaga, New York for such proposed improvement.

All applications shall be accompanied by a map or survey, together with three specifications prepared by a civil engineer duly licensed by the State of New York, one copy of which shall be filed with the Town Engineer, the Town Superintendent of Highways and the Town Clerk.

The Town Engineer shall provide each applicant with a set of standard specifications and requirements of the Town of Cheektowaga, New York, for such work, for which a charge of Five Dollars (\$5.00) per copy shall be made, and no work shall be performed except in accordance therewith.

If the improvement to be installed or constructed shall be upon real property, the title to which has been acquired by the Town of Cheektowaga, the holder of the permit, before commencing any work in connection therewith, shall deliver to the Town of Cheektowaga, New York, a bond of a surety corporation as surety, authorized to do business in the State of New York, in a sum equal to the cost of the work to be performed, which bond shall guarantee the faithful performance of all work in accordance with the specifications and requirements of the Town of Cheektowaga, New York.

It is the policy of the Town of Cheektowaga, New York, to encourage the construction of public improvements on highways in the Town of Cheektowaga, New York, and to encourage the construction of public improvements on highways in the Town of Cheektowaga, New York, and to encourage the construction of public improvements on highways in the Town of Cheektowaga, New York.

and effect until the certificate

shall be issued, and if the holder of such permit shall fail or refuse to comply with the provisions of this ordinance above described, the Town Superintendent of Highways of the Town may proceed to complete the work undertaken to be done, and the applicant and his surety shall be obligated to pay all expenses incurred by the Town in the completion of said improvement so that the same shall comply with the specifications and requirements of the Town of Cheektowaga, New York.

No work shall be performed except under the supervision and inspection of an inspector designated by the Town Engineer and approved by the Town Board. The Town Engineer shall fix the wages of fees of such inspector and the cost thereof to the Town shall be paid by the holder of the permit.

The holder of a permit shall comply with all the ordinances of the Town of Cheektowaga, New York, and all laws of the State of New York now in force or hereafter adopted applicable to the work to be performed thereunder.

Compliance with the provisions of this ordinance shall be a condition precedent to the acceptance of any street, highway or other improvement by the Town of Cheektowaga, New York, for the purpose of maintenance.

This ordinance is not intended to repeal any existing ordinance of the Town of Cheektowaga, New York, but if there is any conflict between this ordinance and any previous ordinance adopted by the Town of Cheektowaga, this ordinance shall, in so far as there is a conflict, be deemed to supercede said existing ordinance, and be it further

**RESOLVED**, that at said public hearing the aforementioned proposed ordinance shall be considered, and the said proposed ordinance or portions thereof as are approved by the Town Board may be adopted and enacted as an ordinance of the Town of Cheektowaga, New York, and be it further

**RESOLVED**, and **ORDERED**, that the Town Clerk be and he is hereby ordered and directed to publish a certified copy of this resolution and order in the Cheektowaga Times, official newspaper of the Town of Cheektowaga, New York, a newspaper having general circulation in said Town, not less than ten (10) nor more than twenty (20) days prior to the date set for the hearing, and that he post conspicuously, or cause to be posted conspicuously a copy of this order in five (5) public places within the Township.

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

Supervisor Holtz, voting Aye.  
Councilman Nagel, voting Aye.  
Councilman Bystrak, voting Aye.  
Councilman Wroblewski, voting Aye.

Councilman Neibert, voting Aye.  
**ABSENT:** None.

**CARRIED: AYES: 5 NOES: 0**

**STATE OF NEW YORK  
ERIE COUNTY  
OFFICE OF THE CLERK SS:  
OF THE TOWN OF  
CHEEKTOWAGA**

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 18th day of June, 1951, and that the same is a correct and true transcript of such original resolution and the whole thereof.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of said Town this 18th day of June, 1951.

KENNETH T. HANLEY,  
Town Clerk  
Town of Cheektowaga,  
Erie County, New York.

(SEAL)

june21

Posted as follows on the 22nd day of June, 1951;  
Town Hall Bulletin Board;  
U-Crest Fire House, Clover Place and Evergreen Street;  
Rescue Fire House, Pine Ridge Road;  
Pine Hill Fire House, Genesee Street and Normandy Avenue;  
Airport Plaza, Genesee Street and Union Road;  
Forks Fire House, Union Road and Broadway.

90

Hereto attached is a copy of notice published in the Cheektowaga Times;

At a regular meeting of the Town Board of the Town of Cheektowaga, County of Erie, State of New York, held at the Town Hall in said Town of Cheektowaga, on the 18th day of June, 1951, at 7:30 o'clock P.M. Eastern Daylight Saving Time, there were:

**PRESENT:**

Benedict T. Holtz, Supervisor  
Henry Nagel, Councilman  
Stanley Bystrak, Councilman  
Joseph Neibert, Councilman  
Felix Wroblewski, Councilman

**ABSENT:** None

Councilman Bystrak presented the following resolution and moved its adoption:

**RESOLVED**, that pursuant to the provisions of the Town Law of the State of New York, the Town Board of the Town of Cheektowaga, Erie County, New York, shall meet at the Town Hall, corner of Union Road and Broadway, in said Town of Cheektowaga, on the 2nd day of July, 1951, at 2:30 o'clock P.M. Eastern Daylight Saving Time, for the purpose of considering the advisability of adopting an ordinance to regulate the construction of public improvements on highways in the Town of Cheektowaga, Erie County, New York, in the manner following, and that all persons interested in said ordinance may attend at that time and be heard:

**AN ORDINANCE TO REGULATE THE CONSTRUCTION OF PUBLIC IMPROVEMENTS IN THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.**

No person, firm or corporation shall install, construct or perform any work incident to the installation and/or construction of any public improvement or public road, or highway in the Town of Cheektowaga without first having obtained a permit therefor, to be issued by the Town Clerk, with the approval of the Town Board after certification by the Town Engineers that the plans and specifications submitted by the applicant comply with the specifications and requirements of the Town of Cheektowaga, New York now in existence or as herein-after changed and amended. The fee for such permit shall be the sum of Ten Dollars (\$10.00).

The application for such permit shall be made on forms furnished by the Town of Cheektowaga, New York, and shall contain such information as the Town Engineers of the Town of Cheektowaga, New York shall require to determine that the proposed improvements will conform with the specifications and requirements of the Town of Cheektowaga, New York for such proposed improvement.

All applications shall be accompanied by a map or survey, together with three specifications prepared by a civil engineer duly licensed by the State of New York, one copy of which shall be filed with the Town Engineer, the Town Superintendent of Highways and the Town Clerk.

The Town Engineer shall provide each applicant with a set of standard specifications and requirements of the Town of Cheektowaga, New York, for such work, for which a charge of Five Dollars (\$5.00) per copy shall be made, and no work shall be performed except in accordance therewith.

If the improvement to be installed or constructed shall be upon real property, the title to which has been acquired by the Town of Cheektowaga, the holder of the permit, before commencing any work in connection therewith, shall deliver to the Town of Cheektowaga, New York, a bond of a surety corporation as surety, authorized to do business in the State of New York, in a sum equal to the cost of the work to be performed, which bond shall guarantee the faithful performance of all work in accordance with the specifications and requirements of the Town of Cheektowaga and before acceptance be approved by the Town Attorney as to form and sufficiency of surety.

Such bond shall remain in full force and effect until the certificate of completion and compliance with this ordinance shall have been issued by the Town Engineer.

In the event that the holder of such permit shall fail or refuse to comply with the provisions of this ordinance above described, the Town

STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA } ss.

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks: first publication JUN 21 1951; last publication JUN 21 1951; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of JUN 23 1951, 19.....

*Eve J. Allis*

Notary Public in and for Erie County, N. Y.

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1953  
Registered No. 5029

Posted as follows on the 22nd day of June, 1951;  
Town Hall Bulletin Board;  
U-Crest Fire House, Clover Place and Evergreen Street;  
Rescue Fire House, Pine Ridge Road;  
Pine Hill Fire House, Genesee Street and Normandy Avenue;  
Airport Plaza, Genesee Street and Union Road;  
Forks Fire House, Union Road and Broadway.

90

Hereto attached is a copy of notice published in the Cheektowaga Times;

Such bond shall remain in full force and effect until the certificate of completion and compliance with this ordinance shall have been issued by the Town Engineer.

In the event that the holder of such permit shall fail or refuse to comply with the provisions of this ordinance above described, the Town

be obligated to pay the cost incurred by the Town in the completion of said improvement so that the same shall comply with the specifications and requirements of the Town of Cheektowaga, New York.

No work shall be performed except under the supervision and inspection of an inspector designated by the Town Engineer and approved by the Town Board. The Town Engineer shall fix the wages of fees of such inspector and the cost thereof to the Town shall be paid by the holder of the permit.

The holder of a permit shall comply with all the ordinances of the Town of Cheektowaga, New York, and all laws of the State of New York now in force or hereafter adopted applicable to the work to be performed thereunder.

Compliance with the provisions of this ordinance shall be a condition precedent to the acceptance of any street, highway or other improvement by the Town of Cheektowaga, New York, for the purpose of maintenance.

This ordinance is not intended to repeal any existing ordinance of the Town of Cheektowaga, New York, but if there is any conflict between this ordinance and any previous ordinance adopted by the Town of Cheektowaga, this ordinance shall, in so far as there is a conflict, be deemed to supercede said existing ordinance, and be it further

RESOLVED, that at said public hearing the aforementioned proposed ordinance shall be considered, and the said proposed ordinance or portions thereof as are approved by the Town Board may be adopted and enacted as an ordinance of the Town of Cheektowaga, New York, and be it further

RESOLVED, and ORDERED, that the Town Clerk be and he is hereby ordered and directed to publish a certified copy of this resolution and order in the Cheektowaga Times, official newspaper of the Town of Cheektowaga, New York, a newspaper having general circulation in said Town, not less than ten (10) nor more than twenty (20) days prior to the date set for the hearing, and that he post conspicuously, or cause to be posted conspicuously a copy of this order in five (5) public places within the Township.

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

Supervisor Holtz, voting Aye.  
Councilman Nagel, voting Aye.  
Councilman Bystrak, voting Aye.  
Councilman Wroblewski, voting Aye.

Councilman Neibert, voting Aye.

ABSENT: None.

CARRIED: AYES: 5 NOES:

STATE OF NEW YORK  
ERIE COUNTY  
OFFICE OF THE CLERK SS:  
OF THE TOWN OF  
CHEEKTOWAGA

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 18th day of June, 1951, and that the same is a correct and true transcript of such original resolution and the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 18th day of June, 1951.

KENNETH T. HANLEY,  
Town Clerk  
Town of Cheektowaga,  
Erie County, New York

(SEAL)

STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA } ss.

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn,

deposes and says that he is the publisher of the

Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of

which the annexed printed slip, taken from said

newspaper is a copy, was inserted and published

in said paper once a week for one weeks:

first publication ..... JUN 21 1951

last publication ..... JUN 21 1951

and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of ..... JUN 23 1951 ..... 19

*Eve J. Allis*

Notary Public in and for Erie County, N. Y.

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1953  
Registered No. 5029

Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, a public hearing has been ordered to be held July 2, 1951, at 2:30 o'clock P.M., E.D.S.T., by the Town Board for the purpose of considering the advisability of enacting an ordinance regulating the construction of public improvements, roads and highways in the Town of Cheektowaga, New York, and

WHEREAS, the present specifications and requirements of the Town of Cheektowaga, New York, need amendment and revision, be it

RESOLVED, that the Town Engineer and the Town Attorney, with the aid of the Town Superintendent of Highways, prepare proposed general specifications and requirements for the construction of a public improvements and submit their recommendation to the Town Board at its next regular meeting.

Seconded by Councilman Nagel.

CARRIED: AYES: -5-.

( Constance Gornikiewicz petition for re-zoning approved )

**Reasoning Granted**

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, New York, on the 18th day of June, 1951, there were:

**PRESENT:**

Benedict T. Holtz, Supervisor  
Henry Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman  
Stanley Bystrak, Councilman

**ABSENT:** None.

Mr. Wroblewski presented the following resolution and moved its adoption.

WHEREAS, the Zoning Board of Appeals held a public hearing at the Town Hall in the Town of Cheektowaga, New York, on the 1st day of June, 1951, at 7:30 o'clock P.M. E.D.S.T., of said day for the purpose of considering the application of Constance Gornikiewicz, for the rezoning from residence district to business district of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

WHEREAS, the Zoning Board of Appeals on the 4th day of June, 1951, having rendered its decision granting the application of the petitioners to rezone from residence district to business district the property hereinafter described, for the purpose of conducting a Pharmacy on ground floor and offices on second floor and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a regular meeting thereon on the 18th day of June, 1951, and the Town Board having made a thorough investigation of the proceedings had and taken before the Zoning Board of Appeals and having personally inspected the premises to be zoned, as well as the property in its immediate vicinity on William Street.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone said premises from residence to business district be and the same is hereby confirmed and approved.

**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", subject to the following restrictions: (1) that said premises are used only for Pharmacy and Office purposes and not Industrial, and (2) that in the event said premises are no longer used as a Pharmacy and Office, this order of rezoning shall be null and void and the property shall revert to residential use only.

**DESCRIPTION**

Subdivision Lots Nos. 47, 48 and 49. Located on the south side of William Street, between Crisfield Avenue and Aris Avenue.

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

Benedict T. Holtz, voting Aye,  
Henry Nagel, voting Aye,  
Felix T. Wroblewski, voting Aye,  
Joseph A. Neibert, voting Aye,  
Stanley Bystrak, voting Aye,  
Carried: 5 Ayes, 0 Noes.

Dated: June 18, 1951.

KENNETH T. HANLEY,

(seal)

Town Clerk  
Town of Cheektowaga  
Erie County, New York

je24

Town Hall Bulletin Board.

Hereto attached is a copy of notice published in the Depew Herald and the Cheektowaga News;

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

**Resoning Granted**

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, New York, on the 18th day of June, 1951, there were:

**PRESENT:**

Benedict T. Holtz, Supervisor  
Henry Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman  
Stanley Bystrak, Councilman

**ABSENT:** None.

Mr. Wroblewski presented the following resolution and moved its adoption.

WHEREAS, the Zoning Board of Appeals held a public hearing at which it was determined that the premises are no longer used as a Pharmacy and Offices, this order of rezoning shall be null and void and the property shall revert to residential use only.

**DESCRIPTION**

Subdivision Lots Nos. 47, 48 and 49. Located on the south side of William Street, between Crisfield Avenue and Aris Avenue.

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

Benedict T. Holtz, voting Aye,  
Henry Nagel, voting Aye,  
Felix T. Wroblewski, voting Aye,  
Joseph A. Neibert, voting Aye,  
Stanley Bystrak, voting Aye,  
Carried: 5 Ayes, 0 Noes.

Dated: June 18, 1951.

KENNETH T. HANLEY,  
(seal) Town Clerk  
je24 Town of Cheektowaga  
Erie County, New York

Notary Public in and for Erie County.

*Frank A. Taler 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

*21st* day of *June*, 19*51*, 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. Taler Jr.*

Sworn to before me this *16th* day of

*July*, 19*51*.

*Kenneth T. Hanley*

Notary Public in and for Erie County.

hn-49 5803

Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, a public hearing has been ordered to be held July 2, 1951, at 2:30 o'clock P.M., E.D.S.T., by the Town Board for the purpose of considering the advisability of enacting an ordinance regulating the construction of public improvements, roads and highways in the Town of Cheektowaga, New York, and

WHEREAS, the present specifications and requirements of the Town of Cheektowaga, New York, need amendment and revision, be it

RESOLVED, that the Town Engineer and the Town Attorney, with the aid of the Town Superintendent of Highways, prepare proposed general specifications and requirements for the construction of a public improvements and submit their recommendation to the Town Board at its next regular meeting. Seconded by Councilman Nagel. CARRIED: AYES: -5-.

( Constance Gornikiewicz petition for re-zoning approved )

**Resoning Granted**

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, New York, on the 18th day of June, 1951, there were:

**PRESENT:**

Benedict T. Holtz, Supervisor  
Henry Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman  
Stanley Bystrak, Councilman

**ABSENT:** None.

Mr. Wroblewski presented the following resolution and moved its adoption.

WHEREAS, the Zoning Board of Appeals held a public hearing at the Town Hall in the Town of Cheektowaga, New York, on the 1st day of June, 1951, at 7:30 o'clock P.M. E.D.S.T., of said day for the purpose of considering the application of Constance Gornikiewicz, for the rezoning from residence district to business district of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

WHEREAS, the Zoning Board of Appeals on the 4th day of June, 1951, having rendered its decision granting the application of the petitioners to rezone from residence district to business district the property hereinafter described, for the purpose of conducting a Pharmacy on ground floor and offices on second floor and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a regular meeting thereon on the 18th day of June, 1951, and the Town Board having made a thorough investigation of the proceedings had and taken before the Zoning Board of Appeals and having personally inspected the premises to be zoned, as well as the property in its immediate vicinity on William Street.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone said premises from residence to business district be and the same is hereby confirmed and approved.

**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", subject to the following restrictions: (1) that said premises are used only for Pharmacy and Office purposes and not Industrial, and (2) that in the event said premises are no longer used as a Pharmacy and Office, this order of rezoning shall be null and void and the property shall revert to residential use only.

**DESCRIPTION**

Subdivision Lots Nos. 47, 48 and 49. Located on the south side of William Street, between Crisfield Avenue and Aris Avenue.

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

Benedict T. Holtz, voting Aye,  
Henry Nagel, voting Aye,  
Felix T. Wroblewski, voting Aye,  
Joseph A. Neibert, voting Aye,  
Stanley Bystrak, voting Aye,  
Carried: 5 Ayes, 0 Noes.

Dated: June 18, 1951.

KENNETH T. HANLEY,

(seal)

Town Clerk  
Town of Cheektowaga  
Erie County, New York

je24



Posted as follows on the 25th day of June, 1951;

91

Town Hall Bulletin Board.

Hereto attached is a copy of notice published in the Depew Herald and the Cheektowaga News;

STATE OF NEW YORK }  
COUNTY OF ERIE } ss.:

**Reasoning Granted**

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, New York, on the 18th day of June, 1951, there were:

**PRESENT:**

Benedict T. Holtz, Supervisor  
Henry Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman  
Stanley Bystrak, Councilman

**ABSENT:** None.

Mr. Wroblewski presented the following resolution and moved its adoption.

WHEREAS, the Zoning Board of Appeals held a public hearing at the Town Hall in the Town of Cheektowaga, New York, on the 1st day of June, 1951, at 7:30 o'clock P.M. E.D.S.T., of said day for the purpose of considering the application of Constance Gornikiewicz, for the rezoning from residence district to business district of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

WHEREAS, the Zoning Board of Appeals on the 4th day of June, 1951, having rendered its decision granting the application of the petitioners to rezone from residence district to business district the property hereinafter described, for the purpose of conducting a Pharmacy on ground floor and offices on second floor and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a regular meeting thereon on the 18th day of June, 1951, and the Town Board having made a thorough investigation of the proceedings had and taken before the Zoning Board of Appeals and having personally inspected the premises to be zoned, as well as the property in its immediate vicinity on William Street.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone said premises from residence to business district be and the same is hereby confirmed and approved.

**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", subject to the following restrictions: (1) that said premises are used only for Pharmacy and Office purposes and not Industrial, and (2) that in the event said premises are no longer used as a Pharmacy and Offices, this order of rezoning shall be null and void and the property shall revert to residential use only.

**DESCRIPTION**

Subdivision Lots Nos. 47, 48 and 49. Located on the south side of William Street, between Crisfield Avenue and Aris Avenue.

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

Benedict T. Holtz, voting Aye,  
Henry Nagel, voting Aye,  
Felix T. Wroblewski, voting Aye,  
Joseph A. Neibert, voting Aye,  
Stanley Bystrak, voting Aye,  
Carried: 5 Ayes, 0 Noes.

Dated: June 18, 1951.

(seal) KENNETH T. HANLEY,  
Town Clerk  
Town of Cheektowaga  
je24 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**

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

*21<sup>st</sup>* day of *June*, 19*51*, 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.*

*7<sup>th</sup>* day of

*July*, 19*51*

*T. Hanley*  
Public in and for Erie County.



Communication read from Ezra S. Ford, Chief Examiner of Municipal Affairs, State of New York, advising the Town Board that a report of the examination of the accounts and fiscal affairs of Cheektowaga has been completed and that a copy of same is on file in the Town Clerk's Office.

Hereto attached is a notice published in the Cheektowaga Times and the Depew Herald & Cheektowaga News;

19-51  
x file

NOTICE IS HEREBY GIVEN  
The State Comptroller has caused an examination to be made of the accounts and fiscal affairs of the Town of Cheektowaga, New York for the period beginning on January 1, 1948 and ending on December 31, 1949. The report of such examination has been filed in my office where it is a public record, available for inspection by all interested persons.  
KENNETH T. HANLEY  
Town Clerk  
Cheektowaga, New York

STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA }

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks; first publication JUN 7 1951; last publication JUN 7 1951; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....  
day of JUN 7 1951, at .....

*Eve J. Allis*  
Notary Public in and for Erie County, N. Y.

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK.  
Qualified in Erie County  
My Commission Expires March 30, 1953  
Registered No. 5029

STATE OF NEW YORK  
COUNTY OF ERIE

**LEGAL NOTICE**  
**NOTICE IS HEREBY GIVEN**  
that the State Comptroller has caused an examination to be made of the accounts and fiscal affairs of the Town of Cheektowaga, New York, for the period beginning on January 1, 1948, and ending on December 31, 1949. The report of such examination has been filed in my office where it is a public record, available for inspection by all interested persons.  
Dated: June 5, 1951.  
KENNETH T. HANLEY,  
Town Clerk, Town of  
Cheektowaga, New York  
je7

*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 *7th* day of *June*, 19*51*, 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 *18th* day of

*June* 19*51*

*Anthony J. Krieger*

hn-49 5808

ANTHONY J. KRIEGER  
Notary Public in and for Erie County

Notary Public in and for Erie County, New York  
My Commission Expires Mar. 30, 19*52*  
Rec. No. 2706

Communication read from John Obstarczyk, requesting a refund of Ten Dollars (\$10.00), due him on account of a rezoning application being denied in 1950.

On a motion of Councilman Wroblewski, seconded by Councilman Nagel the request was granted and the Town Clerk was authorized and directed to mail a blank voucher to Mr. Obstarczyk.

Communication read from Wilfred Schultz relating to the filling up of a hole on premises owned by him on Harlem Road, near Grunner Road. Ordered received and filed.

Communication read from J. H. Nesbit, president of the U.S. Rubber Reclaiming Company Inc., advising the Town Board that he and Mr. Twelvetees will attend the public hearing in relation to odors emanating from its William Street Plant, to be held at the Town Hall on the 20th day of June, 1951, at 7:30 o'clock P.M., E.D.S.T.

Communication read from Bruno Bayh, Secretary, Pine Hill Soccer Club Inc., inviting the Board to attend its Community Picnic on July 15th, 1951, Ordered received, filed and to attend.

Communication read from Paul A. Hughes, Assistant Counsel, Department of Audit and Control, State of New York, advising the Board that its request to extend Fire District No. 2 (Walden) has been granted.

Communication read from R. C. Georger, State Traffic Commission Director, advising the Board that a survey will be made at the intersection of Broadway and Halstead Avenue, to determine whether or not a traffic signal light is needed at that point.

Communication read from Town Clerk Kenneth T. Hanley, recommending that Election District No. 11 be split. Ordered referred to the Town Board for study.

Communication read from the Town Recreational Director recommending that insurance covering the Recreation Youth Program be increased to 50,000/100,000. Ordered referred to the Town Board.

Communication read from the Town Recreational Director requesting that the Chief of Police be authorized to block off certain street and to assign a policeman to each street dance for safety and protection. Ordered referred to the Chief of Police.

Communication read from the Town Recreational Director requesting the installation of a 3/4 water line and fountain for No. 5 George Urban Diamond. Ordered referred to Councilman Weibert, chairman of the Health Committee.

A delegation of six residents residing at or near the corner of Cleveland Drive and Roycroft Boulevard, protested against the issuance of a building permit to Edmund A. Striegel, to erect a single dwelling on Lot No. 213, at the north west corner of Cleveland Drive and Roycroft Boulevard.

Mr. A. Jordan, acting as a spokesman for the group, related to the Board that this building, having a set back of only four feet from Cleveland Drive, will cause unnecessary hardship to the neighbors in that vicinity and requested that the permit be revoked.

The Supervisor advised the delegation that Mr. Streigel is complying with the Town Ordinance and that the Board has no power to revoke the permit.

Councilman Nagel moved, seconded by Councilman Wroblewski, that all claims audited at this meeting be approved and that the Town Clerk be authorized and directed to draw orders on the Supervisor for payment of same.

Orders No. 5119 to No. 5206 inclusive, drawn on the Supervisor.

Councilman Wroblewski moved, seconded by Councilman Bystrak, to adjourn.

SEAL.

Kenneth T. Hanley,  
Town Clerk.

*Kenneth T. Hanley*