

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 April, 1952, at 2:30 o'clock P.M., E.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-

Also present were: Town Clerk Hanley, Town Attorney Doyle, Tax Collector Pfohl, Building Inspector Tadio, Foreman of the Incinerator Plant Stachowski, Dog Warden Kraska, Chairman of the Zoning Board of Appeals Kurnick, Foreman Eberle, Town Engineer Kam, Chairman of the Board of Assessors Jerzewski, Judge Pyszczyński, Captain of Police Mersman, Recreational Director Janiak and Highway Superintendent Zablotny..

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

Petition presented for the installation of a sanitary lateral sewer in Sugnet Road. Ordered referred to the Assessors for a property check.

Communication read from the Town Board and the Zoning Board of Appeals recommending that Franklin T. Bestine re-apply for a new public hearing for the purpose of re-zoning property at the corner of Old Genesee Street and New Beach Road, from residence to business. Ordered received and filed.

Communication read from Edward Janiak, Director of Recreation, requesting the Town Boards permission to attend the Annual Conference of the New York State Public Recreation Society, to be held at Bear Mountain, Palisades Interstate Park, New York, on April 23rd to 26th, inclusive. On a motion of Councilman Wroblewski, seconded by Councilman Nagel, the request was granted.

Communication read from Edward B. Jerzewski, requesting the Town Boards permission from him and his associate, Eugene Rudzinski to attend the Annual Training School for Assessors at Albany, New York, on April 23rd to 25th, inclusive. Ordered referred to the Town Board.

Communication read from the State Traffic Commission relating to a survey made by the company for the possible installation of a traffic signal light at the intersection of Beach Road and Maryvale Drive. Ordered referred to the Chief of Police.

Communication read from Muriel S. Wright, Chairman of the Ravenswood Sub-division Committee, relating to one F. Braun of No. 15 Vernon Drive, conducting a distribution business from his home at No. 15 Vernon Drive, which in the opinion of the Committee is a violation of the Zoning Ordinance of the Town. Ordered referred to the Town Attorney.

Communication read from the Beverly Hills Association requesting that the Town Board adopt an ordinance forbidding hunting in the Beverly Hills section of the Town. Ordered referred to Councilman Bystrak.

Communication read from Fred Heinz, , complaining about traffic conditions on Cayuga Road, between Genesee Street and Cleveland Drive. Ordered referred to the Chief of Police.

On a motion of Councilman Neibert, seconded by Councilman Wroblewski, May 17th, 1952, was designated as Forget-Me-Not Day in the Town of Cheektowaga.

DECISION OF THE ZONING  
BOARD OF APPEALS

\* \* \* \*

The ERNST BUFFALO CORPORATION has made application to zone from First Industrial to Second Industrial the following described premises:

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Cheektowaga, County of Erie, and State of New York, being part of Lot No. 24, Township 11, Range 7, of the Holland Land Company's Survey, bound and described as follows:

BEGINNING at the point of intersection of the northerly line of New Walden Avenue with the easterly line of said Lot No. 24; thence running northerly along the said easterly line of said Lot No. 24 to the intersection of said easterly line of said Lot No. 24 with northerly line of said Lot No. 24; thence westerly along the northerly line of said Lot No. 24, 957.83 feet, thence southerly, in a straight line to a northerly line of New Walden Avenue west of the point of beginning, along the said northerly line of New Walden Avenue, thence easterly along said northerly line of New Walden Avenue to the beginning. Excepting and reserving therefrom a strip across the same deed by James A. Ray to the New York West Shore and Buffalo Railroad Company.

\* \* \* \*

The above mentioned property is located between New Walden Avenue and the right-of-way of the New York Central Railroad Company. No application was made to the Zoning Board to zone any property north of the railroad right-of-way.

Every property owner within 300 feet of the above described property received notice of the time and place of the public hearing. None of the owners appeared and opposed the application of the Ernst Company to re-zone.

There was some opposition at the public hearing of property owners beyond 300 feet and it seemed to be the general impression that if this particular property was placed in the Second Industrial Zone, owners of other property in the area might apply to have their property likewise placed in a Second Industrial Zone.

Before taking final action on applications for re-zoning, this Board makes a thorough investigation of the application, and makes a complete survey of all the adjoining properties. It requires from the applicant specific information as to the type of buildings it intends to construct and the use to which the building are to be put.

The Ernst Buffalo Corporation and its operating companies, Ernst Construction Corporation and Ernst Iron Works, Inc., have been in the storage and steel fabricating business for several years and presently operate a plant at 75 Lathrop Street, Buffalo, New York.

An inspection was made of this plant and inquiries were made of residents in the neighborhood to ascertain whether or not there was any unusual amount of noise, or obnoxious fumes emanating from its premises. We were unable to find anyone who complained of noise or offensive fumes.

It developed during the investigation that the operation of the Ernst Company is similar to that of the Lackawanna Steel Construction Corporation which, incidentally, is located but a short distance from the property now under consideration. An investigation of the Lackawanna Steel Construction Corporation was made and it was ascertained that this plant is operated without unnecessary noise or obnoxious fumes.

The applicant proposes to build on the front portion of the property bordering on New Walden Avenue an office building constructed of steel and masonry, and to rear of this office building a parking lot for its customers. North of the parking lot it intends to build a steel fabricating shop 70 feet to 80 feet wide, 400 to 600 feet long, mill type building, with a 300 foot open craneway on the northerly end of the building. To the east of the fabricating shop a parking lot will be constructed for employees automobiles. At a later date on the east side of the property it proposes to build three warehouse buildings 70 to 80 feet wide, 600 to 800 feet long.

It is not asking for permission to operate a foundry or any type of manufacturing which produces obnoxious odors, fumes or smoke, or creates an unusual amount of noise.

Several persons appeared at the public hearing and recommended to the Zoning Board of Appeals approve the application. We agree with the statements made by some of those who spoke in favor of the application that the property located between Harlem Avenue and the Thruway, and south of the New York Central Right-of-way and along New Walden Avenue, should not be used for residence purposes. We believe that there is ample property away from the railroads and away from plants and factories which should properly be used for residence purposes.

Property such as this, which is located close to the railroad provides an opportunity for railroad siding, should be used for industrial purposes. That does not mean that every type of industry should be located in a railroad area. This Board will not permit certain heavy industries to locate close to a residence district, nor will it approve an application to extend the uses allowed in a First Industrial District so as to permit Second Industry to locate in a First Industrial District unless facts and conditions warrant it.

It is unnecessary to remove the property in question from a First Industrial District to a Second Industrial District as the Zoning Board has the power under Paragraph 10 of Section 29 of the Zoning Ordinances of the Town of Cheektowaga to permit in any First Industrial District a use or building authorized in a Second Industrial District where said use or building is adjoining a railroad right-of-way, or industrial right-of-way, industrial switch tract, or adjacent to non-conforming industrial use. We would, however, were it necessary, recommend to the Town Board that this property be placed in a Second Industrial District so long as it was only used for the purposes set forth in the commitments made by the applicant.

The placing of this property in a Second Industrial District is not required in order to allow the petitioner to use the property to fabricate structural steel for buildings, bridges, and various other products manufactured of steel and other metals or materials, or to store steel building materials, goods, wares and merchandise on the premises.

We believe that a property disposition of this application is to grant to Ernst Buffalo Corporation and its operating companies a permit to build buildings, and to use the buildings for the purposes hereinafter set forth.

We, therefore, find and decide, pursuant to Paragraph 10 of Section 29 of the Zoning Ordinances of the Town of Cheektowaga, as follows:

1. Permission is hereby granted to Ernst Buffalo Corporation and to its operating companies, Ernst Construction Corporation and Ernst Iron Works, Inc., to build on the front portion of the premises hereinbefore described, bordering on New Walden Avenue, an office building constructed of steel and masonry. To the rear of the office building, a parking lot for its customers; north of the parking lot, a steel fabricating shop 70 to 80 feet wide, 400 to 600 feet long, Mill type building, with a 300 foot open craneway on the northerly end of the building. To the east of the fabricating shop, a parking lot for employee's automobiles.

2. On the east side of the property, the applicant may, at a later date, build three warehouse buildings 70 to 80 feet wide, 600 to 800 feet long.

3. It is further permitted to construct on the premises railroad sidings so as to connect with the New York Central Railroad.

4. The applicant is further permitted to fabricate structural steel for buildings, bridges and various other products manufactured of steel, and other metals or materials in the steel fabricating shop.

5. It is further permitted to store steel building materials, goods, wares and merchandise in the warehouse buildings.

6. It is further permitted to landscape the front of the office building.

Permission is hereby generally granted to the applicant to fabricate and store on the premises structural steel and other steel and metal products, and to use the premises for any of the above mentioned purposes. Permission, however, is not granted the applicant to operate a foundry or do any type of manufacturing which produces or emanates from the premises obnoxious odors, fumes or smoke, or creates an unusual amount of noise.

Dated: March 17th, 1952.

Leo Kurnick  
Chairman

Michael L. Henfling  
Lawrence M. Januszcak  
Charles G. Hanson  
Joseph P. Kubera

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, the Ernst Buffalo Corporation has made application to zone from First to Second Industrial District certain real property located on the north side of New Walden Avenue, as is more particularly described in the application, and

WHEREAS, a public hearing on said application was held before the Zoning Board of Appeals on the 10th day of March, 1952, and

WHEREAS, the Zoning Board of Appeals has rendered its decision granting to Ernst Buffalo Corporation and its operating companies, Ernst Construction Corporation and Ernst Iron Works, Inc., permission to build on the portion of the premises herein described bordering on New Walden Avenue an office building constructed of steel and masonry, and to the rear of the office building a parking lot for its customers, and to the north of the parking lot a steel fabricating shop 70 to 80 feet wide, 400 to 600 feet long, Mill type building, with a 300 foot open-craneway on the northerly end of the building, and to the east of the fabricating shop a parking lot for employee's automobiles; on the east side of the premises and permission at a later date to build three warehouse buildings 70 to 80 feet wide, 600 to 800 feet long, and also permission to construct on the premises railroad sidings so as to connect with the New York Central Railroad, and has generally granted application to the applicant permission to fabricate and store on the premises structural steel and other steel and metal products, and permission to use the premises to fabricate structural steel for buildings, bridges and various other products manufactured of other metals or materials in the steel fabricating shop, and to store steel, building materials, goods, wares and merchandise in the warehouse buildings, as is more fully set forth in the decision of the Zoning Board of Appeals, and this Town Board having made a thorough investigation of the application to re-zone the property herein described and is of the opinion that the type industry conducted by the Ernst Buffalo Corporation and its affiliates is not objectionable and is not of the type which produces obnoxious odors, fumes or smoke, or creates an unusual amount of noise, be it

RESOLVED, that the decision of the Zoning Board of Appeals be and the same is hereby in all respects approved, confirmed and adopted by this Town Board.

Seconded by Councilman Nagel.

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 all applications processed by the Petitions Committee on March 29th, 1952 and April 5th, 1952, after same have been approved by the Building Inspector.

Seconded by Councilman Neibert.

CARRIED: AYES: -5-.

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, Good Friday this year falls on April 11th, and this Town Board wants to make it possible for all persons to attend church services during the day, be it

RESOLVED, that Good Friday be observed in the Town of Cheektowaga, New York, by allowing all town employees to be absent from their place of employment from 11 A.M. to 4:30 P.M., on Good Friday.

Seconded by Councilman Neibert

CARRIED: AYES: -5-.

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that Mrs. Julia Bower Reinstein be appointed Historian of the Town of Cheektowaga, Erie County, New York.

Seconded by Councilman Neibert.

CARRIED: AYES: -5-.

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the Erie County Highway Department be requested to install Boulevard Stop Signs on Broad Street at Dick Road, and on Sobieski Street at Dick Road, in the Town of Cheektowaga, New York.

Seconded by Councilman Nagel.

CARRIED: AYES: -5-.



provement of both sides of the public highways situate in Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 19th day of March, 1952.

**PUBLIC HIGHWAYS  
TO BE IMPROVED**

Wayne Terrace FROM Harlem Avenue TO End of Street.

**TYPE OF STREET LIGHTING  
INSTALLATION**

Boulevard type -- underground conduit.

WHEREAS, EDWARD B. JERZEWSKI, ANDREW H. SCHWENK and EUGENE A. RUDEYNSKI, 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 21st day of April, 1952 at 7:30 o'clock P.M., Eastern Standard Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the 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 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.  
Joseph A. Neibert, voting Aye.

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 7th day of April, 1952, 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 April, 1952.

KENNETH T. HANLEY,

Town Clerk,  
Cheektowaga,  
Erie County, New York.

(SEAL)

Posted as follows on the 11th day of April, 1952;

- 1- Telephone Pole at the east end of Wayne Terrace;
- 2- Post at the corner of Wayne Terrace and Briarcliffe Road;
- 3- Tree in front of No. 42 Wayne Terrace;
- 4- Post at the corner of Wayne Terrace and Merrymont Road;
- 5- Post at the corner of Wayne Terrace and Harlem Road;

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

#### 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 7th day of April, 1952, at 2:30 o'clock P.M., Eastern Standard Time, there were:

#### PRESENT:

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

#### ABSENT: None.

Mr. Neibert presented the following resolution and moves its adoption:

WHEREAS, a petition for the improvement of both sides of the public highways situate in Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 19th day of March, 1952.

#### PUBLIC HIGHWAYS TO BE IMPROVED

Wayne Terrace FROM Harlem Avenue TO End of Street.

#### TYPE OF STREET LIGHTING INSTALLATION

Boulevard type — underground conduit.

WHEREAS, EDWARD B. JERZEWSKI, ANDREW H. SCHWENK and EUGENE A. RUDZYNSKI, 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 21st day of April, 1952 at 7:30 o'clock P.M., Eastern Standard Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the 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 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.  
Joseph A. Neibert, voting Aye.

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 7th day of April, 1952, 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 April, 1952.

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 week; first publication April 10, 1952; last publication same; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of APR 12 1952, 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:

RESOLVED, that change orders Nos. 1 to 12 inclusive, for Storm Sewer District No. 4 in the Town of Cheektowaga, New York, hereto annexed, be and the same are hereby approved, and the Supervisor is hereby authorized to execute the same on behalf of the Town of Cheektowaga, New York.

Seconded by Councilman Nagel.

CARRIED: AYES: -5-.

TOWN OF CHEEKTOWAGA, NEW YORK  
DRAINAGE DISTRICT NO. 4  
SUMMARY OF CHANGE ORDERS

	ADDITIONS
1. Raise Water Connection Vera Avenue	\$ 154.59
2. Adjustment in Manholes Vera Avenue	110.00
3. Alpine Place, remove and relay 18"	154.99
4. Alpine Place, excavation for M.H. omitted	78.52
5. Install lower 6" house connection on Alpine	256.00
6. Alpine Place, to avoid house connections, relay 56 L.F. 18"	410.82
7. Alpine, locate house connections	60.00
8. Herbert and Alpine rearrangement of sewers to avoid property damage	333.00
9. Olcott Avenue, probable readjustments of grade to avoid house connections	1,606.00
10. 6" house connection Herbert Avenue	395.00
11. 6" house connection Olcott and Vera	200.00
12. Catch basins Olcott	3,180.00
Total	\$6,938.92

April 4, 1952

TOWN OF CHEEKTOWAGA, NEW YORK  
STORM DISTRICT NO. 4  
CHANGE ORDER NO. 1.

H.F. Darling  
Contractor

Nussbaumer and Clarke  
Engineers

You are hereby authorized to raise the house water connections in Vera Avenue from Station 0 plus 70 to Station 4 plus 97, to avoid interference with storm sewer, at a total cost of.....\$154.59

APPROVED: H.F. DARLING  
By

TOWN OF CHEEKTOWAGA

By

Nussbaumer and Clarke

By Irving Clarke

April 4, 1952.

TOWN OF CHEEKTOWAGA, NEW YORK  
STORM DISTRICT NO. 4  
CHANGE ORDER NO. 2

H.F. Darling, Inc.  
Contractor

Nussbaumer and Clarke  
Engineers

Vera Street

Change in grade from Sta. 0 plus 70 to 4 plus 97		
Install one additional manhole at Sta. 0 plus 70		
1 M.H. 0-6 feet depth @ \$170.00 -		\$ 170.00
2 M.H. 6-8 feet depth @ \$200.00-	\$400	
2 M.H. 0-6 feet depth @ \$170.00-	340	
Credit	60	60.00
NET TOTAL		\$110.00

APPROVED: TOWN OF CHEEKTOWAGA

H.F. Darling, Inc.

Nussbaumer and Clarke  
Irving Clarke

TOWN OF CHEEKTOWAGA, NEW YORK  
STORM DISTRICT NO. 4  
CHANGE ORDER NO. 3

H.F. Darling  
Contractor

Nussbaumer & Clarke  
Engineers

You are hereby authorized to remove and relay 28 feet of 18 inch storm sewer on Alpine Place from Station 0 plus 00 to 0 plus 28, to avoid interference with existing 10 inch sanitary sewer, at a total cost of.....\$154.99

APPROVED: H.F. DARLING

BY

TOWN OF CHEEKTOWAGA

BY

Nussbaumer & Clarke

BY Irving Clarke

April 4, 1952.

TOWN OF CHEEKTOWAGA, NEW YORK  
STORM DISTRICT NO. 4  
CHANGE ORDER NO. 4

H.F. Darling  
Contractor

Nussbaumer & Clarke  
Engineers

You are hereby authorized to receive payment for costs involved in excavating and pouring a manhole base slab at Station 1 plus 13 on Alpine Place as a result of decision to omit this manhole in order to avoid interference with existing sanitary house connections. The extra cost allowed is.....\$78.52

APPROVED: H.F. DARLING

BY

TOWN OF CHEEKTOWAGA

BY

NUSSBAUMER & CLARKE

BY

Irving Clarke

April 4, 1952.

TOWN OF CHEEKTOWAGA, NEW YORK  
STORM DISTRICT NO. 4  
CHANGE ORDER NO. 5

H.F. Darling  
Contractor

Nussbaumer & Clarke  
Engineers

You are hereby authorized to install 32 lineal feet of lower 6 inch sanitary house connection at No. 60 Alpine Place, to avoid interference with the storm sewer, at a unit price of \$8.00 per lineal foot or a total cost of.....\$256.00

APPROVED: H.F. DARLING

BY

Town of Cheektowaga

By

Nussbaumer & Clarke

BY Irving Clarke

April 4, 1952.



TOWN OF CHEEKTOWAGA, NEW YORK  
STORM DISTRICT NO. 4  
CHANGE ORDER NO. 6

36

H.F. Darling  
Contractor

Nussbaumer & Clarke  
Engineers

You are hereby authorized to remove and relay 56 feet of 18 inch storm sewer on Alpine Place from Station 1 plus 17, to 1 plus 73, to avoid interference with existing sanitary house connections at a total cost of.....\$410.82

APPROVED: H.F. DARLING  
BY TOWN OF CHEEKTOWAGA

BY NUSBAUMER & CLARKE  
BY IRVING CLARKE

April 4, 1952.

TOWN OF CHEEKTOWAGA, NEW YORK  
STORM DISTRICT NO. 4  
CHANGE ORDER NO. 7

H.F. Darling  
Contractor

Nussbaumer & Clarke  
Engineers

You are hereby authorized to locate 4 existing sanitary house connections on Alpine Place, in order to prevent interference with the storm sewer, at a unit price of \$15.00 per house connection or a total cost of.....\$ 60.00

APPROVED: H.F. DARLING  
BY TOWN OF CHEEKTOWAGA

BY NUSBAUMER & CLARKE  
BY IRVING CLARKE

April 4, 1952.

TOWN OF CHEEKTOWAGA, NEW YORK  
STORM DISTRICT NO. 4  
CHANGE ORDER NO. 8

H.F. Darling  
Contractor

Nussbaumer and Clarke  
Engineers

Extra at Herbert and Alpine to avoid property damage

6' 42" ( 8'-10' )	@ \$25.00-	\$150.00
1 M.H. { 6'-8' }	@ 200.00-	200.00
3' 18" { 6'-8' }	@ 11.00-	33.00
		\$383.00

Credit

10' 10" @ \$5.00

TOTAL

50.00  
\$333.00

APPROVED: TOWN OF CHEEKTOWAGA

H.F. DARLING, INC.

NUSBAUMER & CLARKE

IRVING CLARKE

TOWN OF CHEEKTOWAGA, NEW YORK  
STORM DISTRICT NO. 4  
CHANGE ORDER NO. 9

H.F. Darling, Inc.  
Contractor

Nussbaumer & Clarke  
Engineers

Olcott Street

Change in grade from Sta. 21 plus 35 at Herbert to Sta. 30 plus 24 by lowering upper end about 24 inches. About 285 L.F. of 18-inch pipe will be in depths 8-10 feet instead of 6-8. There was no price for the deeper sewer, but the differential will probably be \$2.00 per foot.  
285 L.F. 18" @ \$2.00 \$570.00

ALSO

278 L.F. 21" @ \$2.00

556.00

ALSO

150 L.F. 24" @ \$2.00

300.00

TOTAL

\$1,426.00

Three manholes previously 6-8 feet depth  
are now 8-10 feet depth @ \$60.00 each  
3 Manholes @ \$60.00

180.00

TOTAL

\$1,606.00

APPROVED: TOWN OF CHEEKTOWAGA

H.F. DARLING, INC.

NUSSBAUMER & CLARKE

IRVING CLARKE

TOWN OF CHEEKTOWAGA, NEW YORK  
STORM DISTRICT NO. 4  
CHANGE ORDER NO. 10

H.F. Darling, Inc.  
Contractor

Nussbaumer & Clarke  
Engineers

You are hereby authorized to reconnect the 6 inch sanitary house service at the northeast corner of Herbert Avenue and Avery Street from the 10 inch sanitary sewer to the 18 inch sanitary sewer in Herbert Avenue for the sum of \$175.00.

You are also authorized to reconnect the two 6 inch sanitary house services, the one at the northwest corner of Olcott Street and Herbert Avenue, and the other at the southwest corner of Olcott Street and Herbert Avenue from the 10 inch sanitary sewer to the 18 inch sanitary sewer in Herbert Avenue for the sum of \$220.00. The total amount of this change order is, therefore, \$395.00 for the reconnection of these three 6 inch sanitary house services.

APPROVED: TOWN OF CHEEKTOWAGA

H.F. DARLING, INC.

NUSSBAUMER & CLARKE

IRVING CLARKE

TOWN OF CHEEKTOWAGA, NEW YORK  
STORM DISTRICT NO. 4  
CHANGE ORDER NO. 11

37

H.F. Darling, Inc.  
Contractor

Nussbaumer & Clarke  
Engineers

You are hereby authorized to reconnect the 6 inch sanitary house service at the intersection of Vera Avenue and Olcott Place from the 10 inch sanitary sewer to the 18 inch sanitary sewer in Olcott Place for the sum of \$200.00.

APPROVED: H.F. DARLING, INC.

TOWN OF CHEEKTOWAGA

NUSSBAUMER & CLARKE

IRVING CLARKE

MARCH 31, 1952.

TOWN OF CHEEKTOWAGA, NEW YORK  
STORM DISTRICT NO. 4  
CHANGE ORDER NO. 12

H.F. Darling  
Contractor

Nussbaumer & Clarke  
Engineers

You are hereby authorized to install fourteen (14) catch basins rather than fourteen (14) drop inlets on Olcott Place in the location shown on Contract Drawing No. 4. The extra cost involved will be the difference in bid unit price of \$340.00 for a catch basin and \$200.00 for a drop inlet, or a total extra cost of \$1,960.00.

You are also authorized to install three additional catch basins on Olcott Place at the bid unit price of \$340.00 each, as well as 40 lineal feet of 10 inch catch basin at the bid unit price of \$5.00 per lineal foot, a total cost of \$1,220.00. One of these catch basins will be located at the southwest corner of Herbert Avenue and Olcott Place and two will be located on opposite sides of Olcott Place, approximately 150 feet north of the center line of Herbert Avenue.

The total amount of this Change Order is, therefore, in the amount of \$3,180.00.

APPROVED: H.F. DARLING, INC.  
BY

TOWN OF CHEEKTOWAGA

BY

NUSSBAUMER & CLARKE

BY IRVING CLARKE

April 4, 1952.

Councilman Bystrak presented the following resolution and moved its adoption:

BE IT RESOLVED, that the New York State Gas & Electric Company be directed to change all street lights on William Street from the present 2500 lumen to 4000 lumen, overhead construction type; and

BE IT FURTHER RESOLVED, that the New York State Gas & Electric Company be directed to change the present shades on street lights on Pole No. 1-4 on Mansion Street and Pole No. 1-2 on Peoria Street to the new type globe lamps.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -5-.

Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, homes have been built on Westchester Drive and Greenleaf Lane, and hydrants are needed to provide fire protection for said homes,

BE IT RESOLVED, that the Western New York Water Company be requested to install water hydrants on Westchester Drive and Greenleaf Lane, not more than 500 feet apart, at locations to be designated by the Board of Fire Commissioners of Pine Hill Fire District No. 5; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Western New York Water Company and to the Board of Fire Commissioners of Pine Hill Fire District No. 5.

Seconded by Councilman Nagel.

CARRIED: AYES: -5- .

Councilman Nagel presented the following resolution and moved its adoption:

RESOLVED, that the Supervisor be and he is hereby authorized to purchase from the Buffalo Harley-Davidson Company, four 74 cu. in. Harley-Davidson police motorcycles, containing the following equipment:

Front safety guards, Jiffy Stand, 5:00 x 16 tires, Air Cleaner, Rear Wheel Siren, Speedometer Hand Control, DeLuxe Saddle, Pursuit Bumps with Blinker, Radio Generator, Regulator, 44 Ampere Hour Battery, Special Oil Tank and Radio Carrier Safety Edge Wind-shield, Police Fender Sign Lettered "Cheektowaga Police", Police Silver Finish, for the sum of \$1,215.30 each, or a total of \$4,861.20; and

BE IT FURTHER RESOLVED, that the Supervisor be and he is hereby authorized to sell and deliver to Buffalo Harley-Davidson Company the following motorcycles;

Harley-Davidson 46EL2859

" " 46EL2858

" " 46EL2857

" " 41EL5735.

for the sum of \$1,078.00, which amount is to be allowed on the purchase price of the new motorcycles, leaving a balance due the Buffalo Harley-Davidson Company of \$3,783.20.

Seconded by Councilman Neibert.

CARRIED: AYES: -5-.

Councilman Nagel moved, seconded by Councilman Wroblewski, that all claims presented at this meeting for audit, be approved, and that the Town Clerk be authorized and directed to draw orders on the Supervisor for payment of same. (Orders No. 677 to No. 884, inclusive, drawn on the Supervisor).

Councilman Nagel moved, seconded by Councilman Bystrak, to adjourn.

SEAL.

Kenneth T. Hanley  
Town Clerk.

*Kenneth T. Hanley*



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 April, 1952, at 7:30 o'clock P.M., E.S.T., there were:

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

Also present were: Town Clerk Hanley, Town Attorney Doyle, Assessor Jerzewski, General Foreman Eberle, Chief of Police Marynowski, Health Officer Nadolny, Recreation Director Janiak, Highway Superintendent Zablotny, Dog Warden Kraska, Tax Collector Pfohl, Building Inspector Tadio, and Town Engineer Kam.

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 for the improvement of Wayne Terrace, from Harlem Avenue to the End of the Street, by the installation of Street Lighting Standards (Boulevard Type) with underground conduit.

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, and upon order of the Supervisor the hearing was closed and the decision was reserved for two weeks.

Petition presented for the installation of street lights on Westbrook Drive. Ordered referred to the Assessors for a property check.

Communication read from R.J. Tiffany, Secretary of the Croy Avenue Taxpayers Association, requesting that the Town Board deny the application of Hoffeld Estates to rezone the south east corner of Kensington Avenue and Century Road, from residence to business. Ordered referred to the Town Board.

Petition presented bearing the signatures of Ten (10) persons requesting the Board to take prompt action to minimize property damages sustained by property owners adjacent the sharp curves on Washington Highway, near Kensington Avenue. Ordered referred to the Chief of Police.

Communication read from Kenneth W. Kitzinger relating to No Parking Signs and manually controlled traffic signal lights on Pine Ridge Road for the Walden Avenue Fire District, also requesting that Alexander Avenue, from Walden Avenue, to Doat Street, be made a One-Way street. Ordered referred to the Chief of Police.

Communication read from the Polish American Citizens & Taxpayers Association requesting the Board to place a School Traffic Guard at the corner of Alexander and Straley Street school crossing. Ordered referred to the Town Board.

Communication read from the Zoning Board of Appeals, recommending that the application of Michael Barrone to rezone property at the corner of Dick Road and Cloverdale Street, from residence to business, be granted. Ordered tabled for two weeks.

On a motion of Councilman Neibert, seconded by Councilman Wroblewski, the request of Assessors Jerzewski and Rudzinski, to attend the Annual Training School for Assessors at Albany, New York, on April 23, 24 and 25, was granted.

Communication read from the Zoning Board of Appeals, recommending that the application of Hoffeld Estates, Inc., to rezone property at the south east corner of Kensington Avenue and Century Road, from residence to business be granted.

At the request of the chairman the Town Clerk was authorized to re-advertise for a new public hearing, the date of such hearing to be announced at a later date.

Communication read from Town Attorney Doyle relating to the construction of sidewalks in the Town. Ordered referred to the Town Board.

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the Town Clerk be authorized and directed to issue Building Permits on all applications processed by the Petitions Committee on April 12, 1952 and April 19, 1952, after same have been approved by the Building Inspector.

Seconded by Councilman Bystrak.

CARRIED: AYES: -4-.

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, homes have been built on the following streets: Montford Drive, between Cleveland Drive and Ellen Drive; Elaine Court; and Lochland Drive; and hydrants are needed to provide proper fire protection, be it

RESOLVED, that the Western New York Water Company be requested to install water hydrants on Montford Drive, Elaine Court and Lochland Drive, not more than 500 feet apart, at locations to be designated by the Board of Fire Commissioners of Cleveland Hill Fire District No. 6, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Western New York Water Company and to the Board of Fire Commissioners of Cleveland Hill Fire District No. 6.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -4-.

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the subdivision map of Alton Subdivision prepared by Joseph Niland, Engineer, dated April 21, 1952, be approved and filed in the Town Clerk's Office.

Seconded by Councilman Neibert.

CARRIED: AYES: -4-.

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the request of the Genesee-Pine Hill Business Men's Association, Inc., to restrict parking on one side of Marne Road, Ivanhoe Road and Preston Road, be granted and the Chief of Police is ordered to install NO PARKING signs on the side of the street to be determined by the Chief of Police, and

BE IT FURTHER RESOLVED, that the Supervisor be authorized to obtain from the State Highway Department permission to operate the traffic light in front of the Most Holy Redeemer Church on a full time schedule.

Seconded by Councilman Neibert.

CARRIED: AYES: -4-.

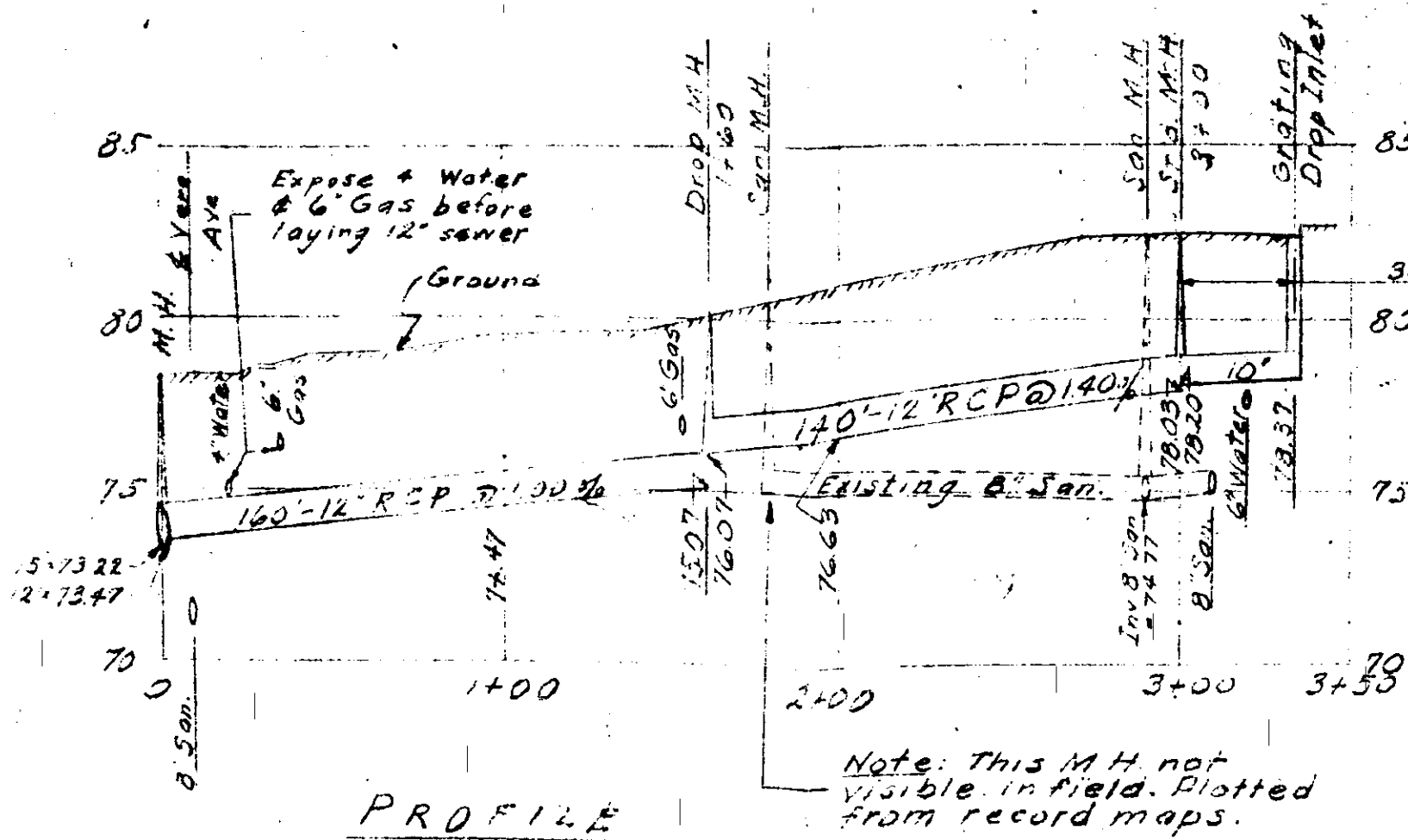
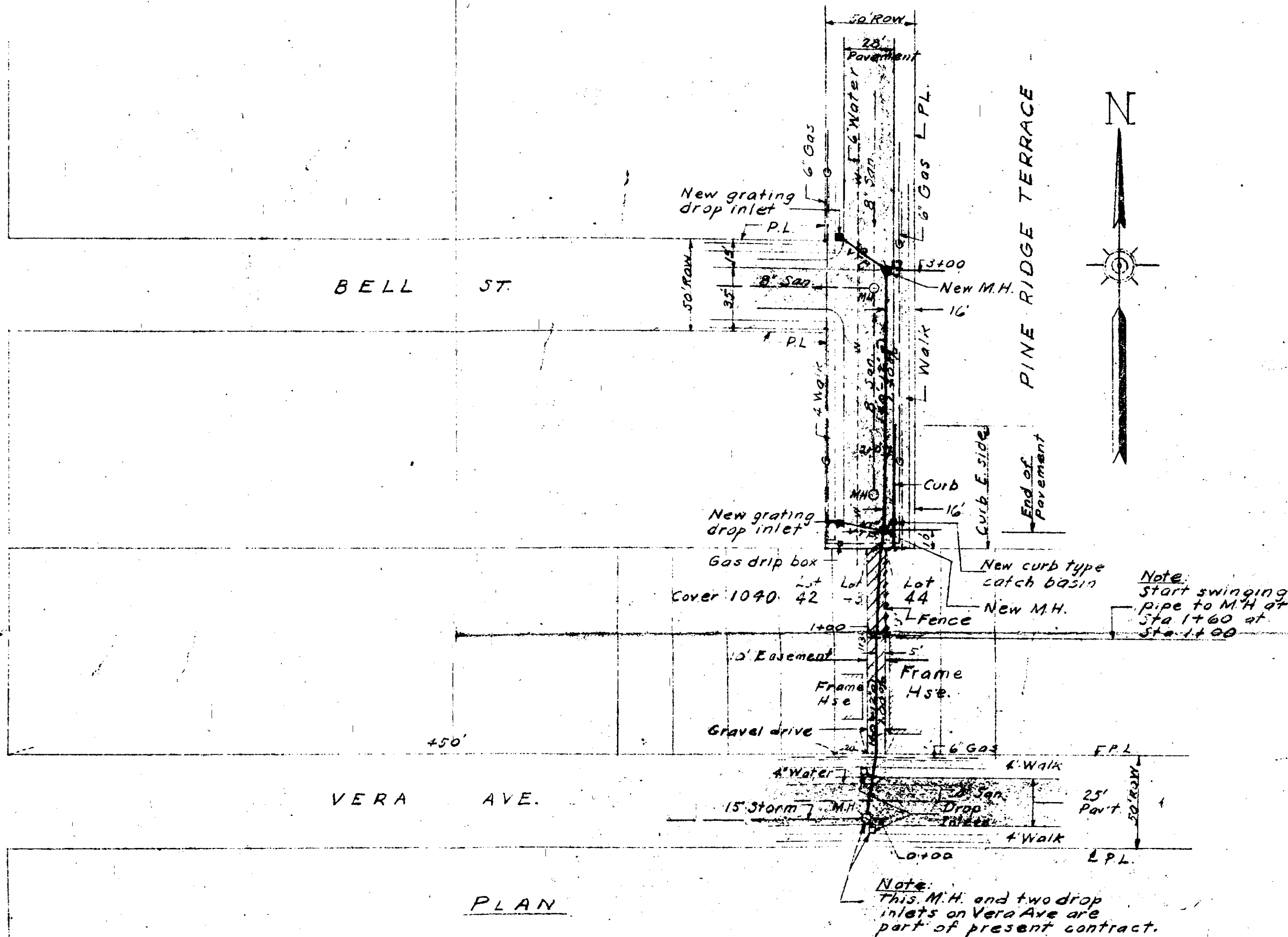
Councilman Neibert presented the following resolution and moved its adoption:

RESOLVED, that the bid of H.F. Darling, Contractor, to perform the work shown on drawing No. B 845, hereto attached, of \$4,499.00, be accepted and the said H.F. Darling be directed to perform the work in accordance with plans and specifications prepared by Nussbaumer Clarke and Velzy, Engineers, in connection with the construction of storm sewers in Storm Sewer District No. 4.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -4-.

OLCOTT PL.



TOWN OF CHEEKTOWAGA, N.Y.  
 STORM DISTRICT No 4  
 12" SEWER-VERA TO PINE RIDGE  
 Nussbaumer & Clarke Engrs.  
 Feb 1952 1"=50'-0"

Dr. Chester Nadolny was granted the floor and requested information as to whether or not he was to receive his re-appointment as Town Health Officer.

The Supervisor advised Dr. Nadolny that the Town Board has never abolished the Health Board, so as a result he remains as Health Officer.

Councilman Wroblewski was granted the floor and requested that the Town Board go on record in opposition to the proposed increase of rates contemplated by the Western New York Water Company.

Councilman Bystrak moved, seconded by Councilman Wroblewski, that all claims presented at this meeting for audit be approved and that the Town Clerk be authorized and directed to draw orders on the Supervisor for payment of same. ( Orders No. 883 to No. 955 Inclusive, drawn on the Supervisor.

Councilman Neibert moved, seconded by Councilman Bystrak, to adjourn.

Kenneth T. Hanley

SEAL.

*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 5th day of May, 1952, 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
Stanley Bystrak	Councilman

ABSENT: Benedict T. Holtz	Supervisor
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Also present were: Town Clerk Hanley, Town Attorney Doyle, Chief of Police Marynowski, Town Engineer Kam, Foreman Eberl, Assessor Rudynski, Dog Warden Kraska, Assistant Building Inspector Trafalski, Judge Pyszczyński, Incinerator Engineer Senko and Town Historian Mrs. Reinstein.

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

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

Decision read from the Zoning Board of Appeals denying the application of Joseph Liptak to rezone property at Transit Road and Pfohl Road from Residence to Second Industrial. Ordered tabled until May 12th, 1952.

Decision read from the Zoning Board of Appeals granting the application of Franklin T. Bestine to rezone from Residence to Business the north-west corner of Old Genesee Street and Beach Road. Ordered tabled until May 12th, 1952.

Communication read from State of New York, Department of Audit and Control, granting the application of the Town of Cheektowaga permission to extend U-Crest Fire District No. 4, in such Town.

( Description of Extension )

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:

Bounded on the north by the south line of Nob Hill Subdivision extended easterly to the center line of Cayuga Road and westerly to the center line of Union Road; on the east by the center line of Cayuga Road; on the west by the center line of Union Road; and on the south by the north line of Maryvale Subdivision extended easterly to the center line of Cayuga Road and westerly to the center line of Union Road; said last mentioned line being also the north line of the present fire district boundary.

Ordered received and filed by the chairman.

Communication read from Cheektowaga Post No. 2429, V.F.W., requesting permission to sell poppies within the confines of Cheektowaga on May 23rd, and 24th, 1952. On a motion of Councilman Wroblewski, seconded by Councilman Bystrak, the request was granted.

Communication read from the State Traffic Commission relating to a change order for the traffic signal light now located in front of Most Holy Redeemer School on Genesee Street. Ordered referred to the Town Board.

Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the Recreation Director make no appointment of Umpires without the approval of the Town Board.

Seconded by Councilman Neibert. CARRIED: AYES: -4- ABSENT: -1-.

Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the Supervisor be authorized and directed to purchase from the Westinghouse Manufacturing Company nine (9) street lamp standards with post-top type luminaries, to be installed on Wayne Terrace, in the Town of Cheektowaga, New York.

Seconded by Councilman Neibert. CARRIED: AYES: -4- ABSENT: -1-.

MICHAEL BARONE RE-ZONING GRANTED.

WHEREAS, the Zoning Board of Appeals, held a public hearing at the Town Hall in the Town of Cheektowaga, New York, on the 26th day of March, 1952, at 7:30 o'clock P. M., E. S. T., of said day, for the purpose of considering the application of Michael Barone 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 12th day of April, 1952, having rendered its decision granting the application of petitioner to rezone from Residence District to Business District the property hereinafter described, for the purpose of conducting a Refreshment Stand 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 21st day of April, 1952, 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,

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone said premises from Residence District 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."

**DESCRIPTION**

Dick Road, corner of Cloverdale Avenue, (also known as Cloverhill Avenue), north east corner, acreage. 100x125 feet to be rezoned for busi-

Posted as follows on the 9th day of May, 1952;

1- Town Hall Bulletin Board.

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

**LEGAL NOTICE****Rezoning Granted**

WHEREAS, the Zoning Board of Appeals held a public hearing at the Town Hall in the Town of Cheektowaga, New York, on the 26th day of March, 1952, at 7:30 o'clock P. M., E. S. T., of said day, for the purpose of considering the application of Michael Barone 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 12th day of April, 1952, having rendered its decision granting the application of petitioner to rezone from Residence District to Business District the property hereinafter described, for the purpose of conducting a Refreshment Stand 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 21st day of April, 1952, 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,

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone said premises from Residence District 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."

**DESCRIPTION**

Dick Road, corner of Cloverdale Avenue, (also known as Cloverhill Avenue), north east corner, acreage, 100x125 feet to be rezoned for business purposes.

Dated: May 5, 1952.

**KENNETH T. HANLEY,**

Town Clerk

Cheektowaga, New York

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 8, 1952; last publication May 8, 1952; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this 13<sup>th</sup>

day of May, 1952

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:

RESOLVED, that the Erie County Highway Superintendent be requested to install Boulevard Stop Signs at the following intersections, in the Town of Cheektowaga, New York; Marsdale Road at Cleveland Drive; Woodcliffe Road at Harlem Road; Mt. Vernon Drive at Cleveland Drive; Mt. Vernon Drive at Kensington Avenue.

Seconded by Councilman Neibert. CARRIED: AYES: -4- ABSENT: -1-.

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, the volunteer firemen in the Town of Cheektowaga are called to extinguish grass fires in areas not located within the boundaries of any established fire district, and are not in any way compensated for their time,

BE IT RESOLVED, that the Town of Cheektowaga pay such firemen for their services at the rate of \$1.00 per hour, said payments to be paid upon a voucher to be approved by an official of the fire company or other firemen present when the services are rendered.

Seconded by Councilman Bystrak. CARRIED: AYES: -4- ABSENT: -1-.

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, Walter J. Marynowski, Chief of Police, has received written proposals from various companies specializing in the manufacture and sale of uniforms, and

WHEREAS, Weinborg and Bass, 1554 Genesee Street, Buffalo, New York, submitted an estimate in writing to provide 16 ounce Blue Metcalfe Serge for pants to be used for the Auxiliary Policemen in the Civil Defense Program, at a cost of \$18.00 each, and a Blue Poplin Shirt at \$3.95 each, and a 2-inch wide belt for \$2.00, making a total cost of \$23.95 for each members, and

WHEREAS, there are 45 members of the Auxiliary Police Department of Civil Defense, and

WHEREAS, Walter J. Marynowski has obtained from Weber Uniforms, Inc., 163 Seneca Street, Buffalo, New York, a written proposal to furnish 45 Breast Shields at a cost of \$2.60 each, be it

RESOLVED, that Walter J. Marynowski, Chief of Police, be and he is hereby authorized to purchase from Weinborg and Bass, uniforms as above specified, at a cost of \$23.95 each, or a total of \$1,077.75, and be it further

RESOLVED, that the Chief of Police be authorized to purchase from Weber Uniforms, Inc., 45 Breast Shields at a cost of \$2.60 each, or a total cost of \$117.00. That the cost of these items be charged to the appropriation contained in the Budget for Civil Defense.

Seconded by Councilman Neibert. CARRIED: AYES: -4- ABSENT: -1-.

Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that Cosentino Motors of No. 3119 Genesee Street, Cheektowaga 25, N.Y., be added to the Town Towing List.

Seconded by Councilman Wroblewski. CARRIED: AYES: -4- ABSENT: -1-.

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the Town Clerk be authorized and directed to issue Building Permits on all applications processed by the Petitions Committee on April 26, 1952 and May 3, 1952, after same have been approved by the Building Inspector.

CARRIED: AYES: -4- ABSENT: -1-.

Councilman Neibert presented the following resolution and moved its adoption:

RESOLVED, that the salary of George Burst, Garage Mechanic, be fixed at the yearly rate of \$3,250.00, commencing May 1, 1952, payable in semi-monthly installments.

Seconded by Councilman Wroblewski. CARRIED: AYES: -4- ABSENT: -1-.



Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the New York State Gas and Electric Corporation be authorized to make the following changes of street lights from 1000 lumen to 2500 lumen of a new type of overhead construction, in the Town of Cheektowaga, New York;

All lights on Cayuga Creek Road, from William Street to Harlem Road, on Cayuga Creek Road, also lights on Pole No. 3, 5, 7, 9 and 11, on Parker Avenue, and

BE IT FURTHER RESOLVED that the New York State Gas and Electric Corporation be authorized to change from 1000 lumen to 2500 lumen all lights on Union Road starting on Genesee Street and ending on Cleveland Drive.

Seconded by Councilman Nagel.

CARRIED: AYES: -4-  
ABSENT: -1-.

Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, this Town Board on the 21st day of April, 1952, held a public hearing on the petition requesting 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.

PUBLIC HIGHWAYS TO BE IMPROVED		
NAMES OF HIGHWAYS	FROM	TO
Wayne Terrace	Harlem Road	End of Street

TYPE OF STREET LIGHTING INSTALLATION  
BOULEVARD STANDARDS-UNDERGROUND CONDUIT

and heard all persons interested in the subject thereof,

NOW, THEREFORE, BE IT RESOLVED, that this Town Board does hereby decide upon the evidence given theret,

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

(b) that it is in the public interest to grant in whole the relief sought,  
by the installation of street lighting equipment hereinabove particularly described along said streets, and

BE IT FURTHER RESOLVED, that such petition is hereby approved and the installation of such street lighting equipment along said highways is hereby authorized, and that the Supervisor and the Town Attorney are hereby authorized and directed to have the installation of said street lighting equipment made by the utility company supplying electrical service to the locality in which 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 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	
AYES: -4-	NOES: -0-	ABSENT: -1-.

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 5th day of May, 1952, 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.

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 14th day of May, 1952.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said Town of Cheektowaga, this 14th day of May, 1952.

Kenneth T. Hanley  
Town Clerk.

WALTON DRIVE LATERAL SEWER-NOTICE OF PUBLIC HEARING.

to the Town Board of Cheektowaga on the 5th day of May, 1952, 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  
Stanley Bystrak, Councilman  
**ABSENT:** Benedict T. Holtz, Supervisor.

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 the highway known as Walton Drive by the construction of a lateral sewer in said highway, to wit: That portion of said Walton Drive extending from the Cheektowaga - Amherst Town Line, south 600 feet to the north line of the August Geib property; and

**WHEREAS**, it duly appears that such petition has been signed by owners of the real property fronting and 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 Eight Thousand Dollars (\$8,000.00);

**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 Union Road and Broadway, in said County, on the 19th day of May, 1952, at 2 o'clock P.M., E.D.S.T., for the purpose of considering and hearing of petition in the subject thereof, and 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 nor more than twenty 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 Bystrak and duly put to a vote which resulted as follows:

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

**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 5th day of May, 1952, 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 5th day of May, 1952.

**KENNETH T. HANLEY,**

Clerk of the Town Board,  
Town of Cheektowaga

Posted as follows on the 9th day of May, 1952;

- 1- Tree at Cheektowaga and Amherest Town Line;
- 2- Tree 150 feet south of Cheektowaga and Amherest Town Line;
- 3- Tree 200 feet south of Cheektowaga and Amherest Town Line;
- 4- Tree 250 feet south of Cheektowaga and Amherest Town Line;
- 5- Tree 300 feet south of Cheektowaga and Amherest Town Line.

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

#### NOTICE OF HEARING

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 5th day of May, 1952, 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  
Stanley Bystrak, Councilman

ABSENT: Benedict T. Holtz, Supervisor.

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 the highway known as Walton Drive by the construction of a lateral sewer in said highway, to wit: That portion of said Walton Drive extending from the Cheektowaga - Amherest Town Line, south 600 feet to the north line of the August Geib property; and

WHEREAS, it duly appears that such petition has been signed by owners of the real property fronting and 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 Eight Thousand Dollars (\$8,000.00);

#### 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 Union Road and Broadway, in said Town, on the 19th day of May, 1952, at 7:30 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 and order in the CHEEKTOWAGA TIMES, not less than ten nor more than twenty 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 Bystrak 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, 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 5th day of May, 1952, 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 5th day of May, 1952.

KENNETH T. HANLEY,  
Clerk of the Town Board,  
Town of Cheektowaga

(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 May 8, 1952; last publication May 8, 1952; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this 13<sup>th</sup>

day of May, 1952

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 moved, seconded by Councilman Wroblewski, that all claims presented at this meeting for audit be approved and that the Town Clerk be authorized and directed to draw orders on the Supervisor for payment of same. ( Orders No. 956 to No. 1016, inclusive, drawn on the Supervisor ).

Councilman Wroblewski was granted the floor and requested that the Town Dog Wardens double their efforts to capture stray dogs which are at large in the Town.

Councilman Bystrak moved, seconded by Councilman Neibert, to adjourn.

SEAL.

Kenneth T. Hanley  
Town Clerk.

*Kenneth T. Hanley.*

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, 1952, at 7:30 o'clock 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

ABSENT: -0-.

Also present were: Town Clerk Hanley and Town Attorney Doyle.

This being the time and the place advertised for a public hearing on the application of Hoffeld Estates Inc., to rezone the south-east corner of Kensington Avenue and Century Road, from residence district to business district, to be used as a Retail Food Store.

The Town Clerk presented proof of publication of the Notice of Hearing, 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;

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

**NOTICE OF HEARING**  
**Application for Rezoning**

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board of the Town of Cheektowaga, County of Erie, State of New York at the Town Hall in said Town on the 12th day of May, 1952, at 7:30 o'clock P.M., E.D.S.T., of said day for the purpose of considering the application of Hoffeld Estates, Inc., for the rezoning from "Residence District" to "Business District" of the property hereinafter described and amending the Zoning Map and Ordinance accordingly.

**DESCRIPTION**

Being Plot "B" as shown on Sub-division Map filed in the Erie County Clerk's Office under Cover No. 1617 situate on the southeast corner of Kensington Avenue and Century Road having the following dimensions: 252.27 feet frontage on Kensington Avenue, 186.43 feet on Century Road, 100.26 feet on the Circle and 196.84 feet on Cleveland Drive, and 253.99 feet on the east line.

From Residence to Business.

To be used for a Retail Food Business.

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

Dated: April 26, 1952.

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

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

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 1, 1952; last publication Same; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this third

day of May, 1952

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 2nd day of May, 1952;

- 1- Election Booth, Cleveland Drive at Circle;
- 2- Telephone Pole No. 175 Cleveland Drive;
- 3- Tree in front of No. 1677 Cleveland Drive;
- 4- Tree in front of Kecks Store, Kensington Avenue;
- 5- Tree, on Kensington Avenue, 75 feet west of Century Road, north side;
- 6- Tree in front of No. 75 West Cleveland Drive;

The Chairman announced that the Town Board would hear all persons interested in the subject of the hearing.

APPEARANCES: George B. Doyle, Town Attorney  
Eugene Donnelly, Attorney for Hoffeld Estates, Inc.  
Alfred L. Hetzelt, Attorney for Danahy-Faxon Stores, Inc.

IN OPPOSITION: Roger Repp,  
Mr. Thomas Hart, representing the Cleveland Hill Homeowners Association;  
Lloyd Harrison,  
Mrs. Melvin Meyer, , president,  
St. Aloysius Altar Society;  
William Crick, ;  
Phillip Albino, ;  
Jerome Wolf, ;  
William Brown, ;  
Donald Perry, ;

IN FAVOR: Lynn H. Bame, president, Hoffeld Estates, Inc.,;  
William Grace, of Danahy - Faxon Stores, Inc., 152 Irving Terrace, Kenmore, New York;  
John Hayes, , Cheektowaga, New York;

DISPOSITION: Hearing closed, decision of the Town Board to be rendered Saturday morning, May 17, 1952, at 11:00 o'clock A.M.

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, an application has been made to the Town Board of Cheektowaga by Niagara Frontier Transit System Inc., for consent to operate a bus or motor vehicle line for the transportation of passengers on and along certain streets and highways in the Town of Cheektowaga including:

EGGERT ROAD, between its intersection with the southerly line of Sugar Road, and its northerly intersection with the westerly town line of the Town of Cheektowaga approximately 3200' northerly from Sugar Road, and that pursuant to a resolution duly passed by this Board on the 4th day of December, 1950, a public hearing was held upon said application in the Town Hall of the Town of Cheektowaga in the Council Chambers of said Hall on the 18th day of December, 1950, at 7:30 P.M., at which time and place all persons interested in said application were heard and due deliberation having been had thereon,

BE IT RESOLVED, that said application be and the same is hereby granted.

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
Joseph A. Neibert	Voting AYE
Stanley Bystrak	Voting AYE

CARRIED: AYES: -5-

NOES: -0-.

Councilman Nagel presented the following resolution and moved its adoption:

**RESOLVED**, that the amount of \$59.80 be transferred from the Election Fund to the Highway Fund, to reimburse the Highway Department for moving and returning Voting Machines used in No. 9 School District Election, and

**BE IT FURTHER RESOLVED**, that the amount of \$59.80 which will be paid to the Election Fund from the School District No. 9, be credited to the Election Budget.

Seconded by Councilman Neibert.

CARRIED: AYES: -5-.

Councilman Wroblewski presented the following resolution and moved its adoption:

**RESOLVED**, that the application of Joseph Liptak to rezone from residence district to second industrial district, the following described property, be denied;

Beginning at a point in the southerly line of Pfohl Rd. (formerly Ellicott Creek Rd.) distant fifty-three and one hundredths (53.01) feet westerly of its intersection with the west line of Transit Rd., said point being also the southwest corner of Parcel No. 2 Public Service Commission, Grade Crossing Elimination recorded in Erie County Clerk's Office in Liber 3158 of Deeds, page 45, September 24, 1941; thence northwesterly along the westerly line of said Parcel No. 2, a distance of three hundred thirty and ten hundredths (330.10) feet to the southeasterly line of the New York Central Railroad lands, thence southwesterly along the southeasterly line of said Railroad lands, seven hundred twenty-seven and sixty-three hundredths (727.63) feet to its intersection with the northerly line of Pfohl Road; thence easterly along the northerly line of the Pfohl Road to the point of beginning.

Also, 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 Number seventy-nine (79), Township eleven (11) and Range seven (7) of the Holland Land Company's Survey, bounded and described as follows:

**BEGINNING** at a point in the southerly line of the Pfohl Road distant one hundred twenty-one and four hundredths (121.04) feet from its intersection with the west line of the Transit Road, said point being also the southwest corner of Parcel No. 1 Public Service Commission, Grade Crossing Elimination,

thence southerly along the southerly line of Pfohl Road, five hundred ninety-six and thirty-five hundredths (596.35) feet to the west line of lands conveyed to Adam J. Menges and Mary, his wife, by deed recorded May 16, 1918 in Erie County Clerk's Office in Liber 1412 of Deeds, page 636; thence southerly along the west line of said Menges land, four hundred eighty-six (486) feet to the north line of the Ellicott Creek, thence easterly along the north line of Ellicott Creek, seven hundred twenty (720) feet, more or less to a point distant twelve (12) feet westerly at right angles from the west line of Transit Road at the southwest corner of said Parcel 1; thence north along the west line of said Parcel 1, thirty-eight (38) feet to an angle; thence northwesterly along the west line of said Parcel 1, eighty-six and sixty-one hundredths (86.61) feet to an angle; thence northerly along said west line of Parcel 1, one hundred sixty-seven and fifteen hundredths (167.15) feet to an angle; thence northerly along said westerly line of Parcel 1, two hundred fifty-four and two hundredths (254.02) feet, to the southerly line of the PFOHL Road at the point of beginning.

**SAID TWO ABOVE DESCRIBED PREMISES** containing nine and thirty-three hundredths (9.33) acres, be the subject of said application.

Seconded by Councilman Bystrak.

CARRIED: AYES: -5-.

Councilman Neibert moved, seconded by Councilman Wroblewski, **RESOLVED**, that the sub-division map of Ontario Park, part of Lot 19, T 11 R 7, dated April 9, 1952, as prepared by Herthe & Sonnenberger, Engineers, be approved and filed in the Town Clerk's Office.

CARRIED: AYES: -5-.

Councilman Wroblewski moved, seconded by Councilman Neibert, **RESOLVED**, that the Sub-division map of Harwood Park, Part of lot 25, T 11 R 7, dated April 24, 1952, as prepared by Herthe & Sonnenberger, Engineers, be approved and filed in the Town Clerk's Office.

CARRIED: AYES: -5-.

Councilman Wroblewski moved, seconded by Councilman Neibert, **RESOLVED**, that the Erie County Highway Superintendent be authorized to install a Boulevard Stop and Go Sign at the intersection of Park Edge Drive and Pine Ridge Road, in the Town of Cheektowaga, New York.

CARRIED: AYES: -5-.



FRANKLIN T. BESTINE RE-ZONING GRANTED.

WHEREAS, the Zoning Board of Appeals held a public hearing at the Town Hall in the Town of Cheektowaga, New York, on the 17th day of April, 1952, at 7:30 o'clock P.M., E. S. T. of said day for the purpose of considering the application of Franklin T. Bestine 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 23rd day of April, 1952, having rendered its decision granting the application of petitioner to rezone from residence district to business district the property hereinafter described, for the purpose of conducting a Restaurant 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 5th day of May, 1952, 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,

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone said premises from Residence District 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 "Residential District" to "Business District."

**DESCRIPTION**

Acreage, north west corner of Old Genesee Street and New Beach Road (103x103 feet).

KENNETH T. HANLEY,

Town Clerk

Town of Cheektowaga

Posted on the Town Hall Bulletin Board on the 16th day of May, 1952.

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

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

**LEGAL NOTICE  
REZONING GRANTED**

WHEREAS, the Zoning Board of Appeals held a public hearing at the Town Hall in the Town of Cheektowaga, New York, on the 17th day of April, 1952, at 7:30 o'clock P.M., E. S. T. of said day for the purpose of considering the application of Franklin T. Bestine 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 23rd day of April, 1952, having rendered its decision granting the application of petitioner to rezone from residence district to business district the property hereinafter described, for the purpose of conducting a Restaurant 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 5th day of May, 1952, 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,

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone said premises from Residence District 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."

**DESCRIPTION**

Acreage, north west corner of Old Genesee Street and New Beach Road (103x103 feet).

KENNETH T. HANLEY,  
Town Clerk

Town of Cheektowaga,  
Dated: May 12, 1952.

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 15, 1952: last publication May 15, 1952: and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this 15<sup>th</sup>

day of May, 1952

*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

Communication read from the State Traffic Commission relating to the installation of a green arrow on the traffic signal light and the widening of the west portion of the road at the corner of Union Road and William Street. Ordered received and filed.

Councilman Nagel moved, seconded by Councilman Wroblewski, that all claims presented at this meeting for audit be approved and that the Town Clerk be authorized and directed to draw order on the Supervisor for payment of same. ( Orders NO. 1027 to NO. 1130, inclusive, drawn on the Supervisor ).

Councilman Nagel moved, seconded by Councilman Wroblewski, to adjourn.

*Kenneth T. Hanley*

Town Clerk.

SEAL.

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 17th day of May, 1952, 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
Stanley Bystrak	Councilman

ABSENT: Benedict T. Holtz	Supervisor
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Also present were: Town Clerk Hanley, Town Attorney Doyle and Building Inspector Tadio and Assistant Building Inspector Trafalski.

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

HOFFELD ESTATES INC., RE-ZONING GRANTED.

Councilman Neibert moved, seconded by Councilman Wroblewski,

that the Town Board do hereby grant a rezoning application for the rezoning of the hereinafter described property from a "residential district" to a "business district" and a notice of the Town Board reciting the receipt of said application and specifying the time when and place where said Town Board would meet to consider the said application and to hear all persons interested in the subject thereof concerning the same, having been published as required by law and the hearing having taken place at the Town Hall, Town of Cheektowaga, New York, on May 12, 1952, and the Town Board having given due consideration thereon.

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

DESCRIPTION

Being Plot "B" as shown on Subdivision Map filed in the Erie County Clerk's Office under Cover No. 1617 situate on the southeast corner of Kensington Avenue and Century Road having the following dimensions: 252.27 feet frontage on Kensington Avenue, 186.43 feet on Century Road, 100.26 feet on the Circle and 196.84 feet on Cleveland Drive, and 253.99 feet on the east line.

BE IT FURTHER RESOLVED, that the Town Clerk be, and he hereby is directed to publish in the Cheektowaga Times at least once, and also to post a copy of this resolution in at least one public place (Town Hall, Bulletin Board) in the Town, a printed copy thereof.

CARRIED: AYES: -4-, ABSENT: -1-.

Posted as follows on the 22nd day of May, 1952;

Town Hall Bulletin Board.

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

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

LEGAL NOTICE  
REZONING GRANTED

WHEREAS, there has been presented to this Town Board a written application for the rezoning of the hereinafter described property from a "residential district" to a "business district" and a notice of the Town Board reciting the receipt of said application and specifying the time when and place where said Town Board would meet to consider the said application and to hear all persons interested in the subject thereof concerning the same, having been published as required by law and the hearing having taken place at the Town Hall, Town of Cheektowaga, New York, on May 12, 1952, and the Town Board having given due consideration thereon.

NOW, THEREFORE,

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

DESCRIPTION

Being Plot "B" as shown on Subdivision Map filed in the Erie County Clerk's Office under Cover No. 1617 situate on the southeast corner of Kensington Avenue and Century Road having the following dimensions: 252.27 feet frontage on Kensington Avenue, 186.43 feet on Century Road, 100.26 feet on the Circle and 196.84 feet on Cleveland Drive, and 253.99 feet on the east line.

BE IT FURTHER RESOLVED, that the Town Clerk be, and he hereby is directed to publish in the Cheektowaga Times at least once, said amendment and to post conspicuously in at least one public place (Town Hall Bulletin Board), in the Town, a printed copy thereof.

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

Dated: May 17, 1952.

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 22 1952; last publication same; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

MAY 27 1952  
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

Councilman Neibert presented the following resolution and moved its adoption:

RESOLVED, that the Town Clerk be authorized and directed to loan to the Westinghouse Manufacturing Company's Union, Seven (7) voting machines, Four (4) Ballot Boxes and Three (3) Canvass Booths, for the annual employees Election to be held on May 21, 1952, and

BE IT FURTHER RESOLVED, that the Union Officials make arrangements with the Cheektowaga Highway Department to move and return the machines, ballot boxes and canvass booths from the location used for voting.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -4-, ABSENT: -1-.

The Town Clerk then proceeded to read the minutes of the previous meetings held on; February 12, 1952, February 18, 1952, February 22nd, 1952, March 3, 1952, March 17th, 1952, March 19, 1952, April 7, 1952, April 21, 1952, May 5, 1952, and May 12, 1952, and there being no corrections or alterations, Councilman Neibert moved, seconded by Councilman Bystrak, that same be placed on file in the Town Clerk's Office.

Councilman Neibert moved, seconded by Councilman Wroblewski, to adjourn.

*Kenneth T. Hanley*  
Kenneth T. Hanley

SEAL.

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 19th day of May, 1952, 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
Stanley Bystrak	Councilman

ABSENT: -0-

Also present were: Town Clerk Hanley, Town Attorney Doyle, Chief of Police Marynowski, Building Inspector Tadio, Town Engineer Kam, and Dog Warden Kraska.

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

Communication read from John Ederer Jr., Secretary of the Central Council of Volunteer Firemen, relating to firemen performing auxiliary guard duty on Decoration Day and other days of special significance. Ordered referred to the Chief of Police by Supervisor Holtz.

This being the time and the place advertised for a public hearing for the improvement of Walton Drive by the construction of a lateral sewer in said highway, to wit: That portion of said Walton Drive extending from the Cheektowaga-Amherst Town Line, south 600 feet to the north line of the August Geib property.

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 improvement, the Supervisor ordered the hearing closed and decision was reserved.

Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the Supervisor be authorized to request a Civil Service list from the Erie County Personnel Director to be used for the appointment of a Police Officer in the Town of Cheektowaga, New York.

Seconded by Councilman Wroblewski. CARRIED: AYES: -5-.

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the Chief of Police as Civil Defense Director, be authorized to purchase 45 ties for members of the Auxiliary Police at a cost not to exceed the sum of \$67.50.

Seconded by Councilman Neibert. CARRIED: AYES: -5-.

Councilman Neibert presented the following resolution and moved its adoption:

RESOLVED, that Frank Lunz be provisionally appointed Grade A Operator at the Disposal Plants and that his salary be fixed at the sum of \$3,400.00 per annum, payable in semi-monthly installments, and be it further

RESOLVED, that a copy of this resolution be forwarded to the Personnel Director of Erie County with the request that a competitive examination for Grade A 1 Operator in the Town of Cheektowaga, New York.

Seconded by Councilman Wroblewski. 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 all applications processed by the Petitions Committee on May 10, 1952 and May 17, 1952, after same have been approved by the Building Inspector.

Seconded by Councilman Bystrak.

CARRIED: AYES: -5-.

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, negotiations have been had with the City of Buffalo, School District No. 2, and the Town of Cheektowaga, New York, relative to the taxes assessed against the property belonging to the City of Buffalo known as the Buffalo Airport; and

WHEREAS, it is believed to be to the best interests of all parties concerned if the aforementioned Airport property were exempted from the payment of taxes, but in lieu thereof being paid to the Town of Cheektowaga, New York, and the School District No. 2, a specified sum of money yearly during the term of the proposed contract; and

WHEREAS, the said proposed contract hereto annexed correctly sets forth the terms of the agreement between the parties and provides for a discontinuance of pending certiorari proceedings,

BE IT RESOLVED, that the said contract be and the same is hereby approved, and the Supervisor be and he is hereby authorized to execute said contract on behalf of the Town of Cheektowaga, New York; and

BE IT FURTHER RESOLVED, that upon execution of said contract, by School District No. 2 and the City of Buffalo, New York, the Assessors be and they are hereby directed to exempt said property on the assessment rolls of the Town of Cheektowaga, New York, and School District No. 2.

Seconded by Councilman Nagel 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

CARRIED: AYES: -5-

NOES: -0-

#### AGREEMENT

THIS AGREEMENT, made this \_\_\_\_\_ day of \_\_\_\_\_ 1952, between THE CITY OF BUFFALO, a municipal corporation, party of the first part, hereinafter referred to as the "City", the TOWN OF CHEEKTOWAGA, NEW YORK, a municipal corporation, party of the second part, hereinafter referred to as the "Town", and UNION FREE SCHOOL DISTRICT NO. 2 of the TOWN of CHEEKTOWAGA, ERIE COUNTY, NEW YORK, a municipal corporation, party of the third part, hereinafter referred to as the "School District."

#### WITNESSETH:

WHEREAS, the City owns, operates and maintains a public aviation field, known as the Buffalo Municipal Airport, with the corporate limits of the Town and School District, said aviation field being more particularly hereafter described; and

WHEREAS, the City is about to put into effect a program and plan for the extensive physical development and improvement of said aviation field at a cost to the City of great sums of money; and

WHEREAS, such development and improvement will inure to the benefit of all the western part of the State of New York, and particularly to the parties of this agreement;

NOW, in consideration of the foregoing and covenants herein contained, it is mutually agreed as follows:

1. That said aviation field as now constituted, together with all improvements now thereat and thereon, and as the said aviation field now appears upon the latest completed assessment rolls of the Town and School District, to wit:

#### SCHOOL DISTRICT NO. 2

GENESEE

N.E. COR. CAYUGA RD.

AC. 538.28

3676' front

CAYUGA ROAD.

E. 5207' N. OF GENESEE

AC. 54.74

FL 14 TS 11

1592 x 1285

CAYUGA RD.

E. 4337' N. of GENESEE

AC. 4.42

FL 14 TS 11

150 x 1285



be and the same is hereby is exempted from the payment of any and all taxes and assessments and levies during the existence of this agreement, and that the said aviation field as now constituted, be marked "Exempt" on the assessment rolls of the Town and of the School District during the existence of this agreement.

2. That any and all improvements made to or erected on said aviation field during the existence of this agreement or any facilities installed or erected during the existence of this agreement to meet the needs of scheduled and non-scheduled air transportation, including the replacement of present facilities, buildings, etc., will be exempted from the payment of any and all taxes, assessments and levies. However, any building or any addition to or enlargement of an existing building that may hereafter be erected or constructed on said aviation field for the occupation and use by a private person, firm or corporation and from which building or addition or enlargement or the land thereunder the City will derive revenue, rent, income, or other consideration directly or indirectly, shall not be exempted from the payment of taxes, assessments or levies and the same shall be assessed, taxed and levied upon in the same way as other taxable real property during the existence of this agreement is assessed, taxed and levied upon for Town and School District taxes and assessments; it being the intent of the parties hereto that the construction of any new Administration Building by the party of the first part will nevertheless be exempted from the payment of taxes, assessments and levies during the existence of this agreement without regard as to whether or not the City will derive revenue from leasing portions of said Administration Building.

3. That the Town agrees during the existence of this agreement to exclude said aviation field from any special district, hereafter created for the payment of local assessments, unless the City consents thereto in writing.

4. That this agreement between the City and the Town shall be in full force and effect until December 31, 1972, and as between the City and the School District it shall be in full force and effect until June 30, 1972.

5. That in lieu of the payment of taxes, assessments or levies during the existence of this agreement, except for taxes, assessments and levies to be made in accordance with the provisions of Paragraph 2, hereof, the City agrees to pay annually to the Town, and the Town agrees to accept, the sum of Fifteen Thousand Dollars (\$15,000.00) on or before the 15th day of February of each and every year during the existence of this agreement, the first payment to be made in February, 1953, and the final payment in February, 1972.

6. That in lieu of the payment of school taxes during the existence of this agreement, except for school taxes which are to be levied in accordance with the provisions of Paragraph 2, hereof, the City agrees to pay annually to the School District, and the School District agrees to accept, the sum of Thirty-Five Thousand Dollars (\$35,000.00) on or before the 15th day of October of each and every year during the existence of this agreement, the first payment to be made in October, 1952, and the final payment in October, 1971.

7. That in the event the City fails to make any payment herein provided for on its due date, the Town or School District as the case may be, shall have the right to sue the City for the same immediately, and to collect the same without compliance with any statutory or city charter requirement concerning filing or serving of any notice upon the city or upon any of its officers or employees as a condition precedent to the commencement of suit, and in addition, the Town or School District to whom the City may be so in default, may at its option, in the event that the City fails or neglects to make such payments for a period of two years terminate this agreement by giving a sixty day written notice to the City to that effect and that thereupon, the said aviation field and all the improvements then thereat and thereon shall be restored to the assessment rolls of the Town or School District as taxable property. That the provisions of this paragraph shall not apply to any taxes, assessments or levies made in accordance with the provisions of Paragraph 2, hereof, but such taxes, assessments and levies shall be made and collected in accordance with applicable statutes and law provided for the making and collection of taxes, assessments and levies applicable to other taxable property.

8. That the parties hereto agree to cooperate in procuring the ratification and confirmation of this agreement by the Legislature of the State of New York.

9. That in the event any part of this agreement is declared to be invalid by a court of competent jurisdiction, then, in that event, this agreement in its entirety shall be null and void.

10. That the City agrees to discontinue any and all certiorari proceedings now pending to review the assessments on said aviation field and the improvements thereat and thereon.

11. That this agreement shall run with the land. However, in the event that the City surrenders its legal title to said aviation field, then in that event, the liability of the City for the payments set forth in paragraphs 5, and 6, of this agreement shall cease as of the date and time of such surrender of title, but such obligations shall be assumed by the grantee or grantees of the City and the obligations herein shall be binding upon such grantee or grantees. In the event that such grantee or grantees are the United States Government or any Department, Agency, Corporation, or Authority thereof, it is understood and agreed that the City of Buffalo shall be liable for the payments set forth in paragraphs 5 and 6 of this Agreement which will accrue within one (1) year from the date of the recording in the Erie County Clerk's Office of the instrument conveying title to the aforementioned aviation field.

IN WITNESS WHEREOF, the parties hereto have hereunto caused these presents to be signed and sealed by their duly authorized officers the day and year first above written.

THE CITY OF BUFFALO

BY

( SEAL )

Mayor

THE TOWN OF CHEEKTOWAGA, NEW YORK

BY

( Seal )

Supervisor

UNION FREE SCHOOL DISTRICT NO. 2  
OF THE TOWN OF CHEEKTOWAGA, ERIE  
COUNTY, NEW YORK.

BY

( SEAL )

President of Board of Education

Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the request of Stephen J. Rosinski, for a six months leave of absence, without salary, be granted.

Seconded by Councilman Neibert.

CARRIED: AYES: -5-.

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, Paul Stephany of Cheektowaga, New York, has instituted an action against the Town of Cheektowaga, New York, in the County Court of Erie County, for damages alleged to have been sustained on the 30th day of December, 1951, claiming that he suffered damages by reason of a sewer's backing up and injuring and destroying his property, and that this was caused by the negligence of the Town of Cheektowaga, New York,

BE IT RESOLVED, that the Town Attorney be directed to appear on behalf of the Town in said action, and that the Supervisor be and he is hereby authorized to execute on behalf of the Town of Cheektowaga, New York, an answer to the Plaintiffs' complaint.

Seconded by Councilman Bystrak.

CARRIED: AYES: -5-.

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, Kenneth T. Hanley, Town Clerk of the Town of Cheektowaga, New York, has appointed Miss Gertrude Nolan of No. as Second Deputy Town Clerk, be it

RESOLVED, that said appointment be approved and that her salary be fixed at \$2,250.00 per annum, payable in semi-monthly installments.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -5-.

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Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, Leonard Amadore, an infant, by Joseph Amadore, his guardian ad litem, and Joseph Amadore, individually, instituted actions against the Town of Cheektowaga, New York, for personal injuries and damages sustained in an accident to have been due to the said infant's riding his bicycle into a hole on the pavement in the vicinity of 78 Heather Road; and

WHEREAS, in the infants' action, damages are demanded in the sum of Thirty Thousand Dollars (\$30,000.00); and in Joseph Amadores' action, the sum of Five Thousand Dollars (\$5,000.00); and

WHEREAS, it is alleged that the injuries to said infant included permanent and severe disfiguring scars, and in the trial of said actions, the services of a physician and surgeon are required to examine the extent of the injuries of said infant;

BE IT RESOLVED, that the Town Attorney be and he is hereby authorized to engage the services of a physician and surgeon to assist in the trial or other disposition of the actions, and the expenses thereof to be a Town charge.

Seconded by Councilman Nagel.

CARRIED: AYES: -5-.

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, there has been presented before the Public Service Commission an application by the Western New York Water Company to increase its water rates; and

WHEREAS, this Town Board is opposed to such increase and wishes to be in a position to present expert testimony at the hearing before the Public Service Commission;

BE IT RESOLVED, that Nussbaumer, Clarke and Velzy, competent engineers, be appointed to make a study of the pending rate application and to assist in the preparation of the testimony to be given in opposition to said rate increase; and

BE IT FURTHER RESOLVED, that the sum of One Thousand Dollars (\$1,000.00) be appropriated to cover the cost and expense of engaging said engineers and to pay any other expenses which may be incurred;

Seconded by Councilman Bystrak.

CARRIED: AYES: -5-.

Councilman Bystrak presented the following resolution and moved its adoption:

BE IT RESOLVED, that the New York State Gas & Electric Corporation be directed to do the following:

Install 4-2,500 lumen lights on Union Road between Genesee Street and Cleveland Drive;

Install 1-1,000 lumen light on Pole No. 10, Aero Drive; and

BE IT FURTHER RESOLVED, that the New York State Gas & Electric Corporation be also directed to do the following;

Remove the 1,000 lumen light from Pole 14, install a 2,500 lumen light on Pole 15, and replace the 1,000 lumen light with a 2,500 lumen light on Pole 12 on Cass Avenue;

Replace the 1,000 lumen lights with 2,500 lumen lights on Poles 13-15, on Garland Avenue;

Replace the 1,000 lumen lights with 2,500 lumen lights on Poles 12-14 on Bright Street;

Replace the 1,000 lumen light with a 2,500 lumen light on Pole 16, on Helen Street;

All the above lights are to be of Globe Type.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -5-.

Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the Niagara Mohawk Power Corporation be authorized and directed to put back into service, light on Standard 1601, Cleveland Drive, in the Town of Cheektowaga, New York.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -5-.

POLICE PENSION PLAN-NOTICE OF HEARING.

**LEGAL 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 19th day of May, 1952, 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  
Stanley Brystrak, Councilman

**ABSENT:** None

Councilman Brystrak presented the following resolution and moved its adoption:

WHEREAS, there has been presented to the Town Board a request to adopt the Twenty-Five Year Plan Retirement System for the Police Department of the Town of Cheektowaga, New York, by the terms of which plan the Town of Cheektowaga would be required to pay on account of any member of its Police Department who has duly elected or shall hereafter duly elect to contribute to the additional amount required for the purpose of retiring after twenty-five years of service, as provided by Subdivision 1 of Section 88 of the Civil Service Law, or any subsequent amendment thereto, the entire additional cost on account of the police service rendered by such officer or member of the Police Department prior to the date of the adoption of the resolution, and further agrees to pay  $\frac{1}{4}$  of the additional cost on account of police service rendered by such officer or member of the Police Department after the adoption of the resolution; and

WHEREAS, the adoption of such Retirement Plan requires a contribution by the Town of Cheektowaga, New York, of a large sum of money;

BE IT RESOLVED that the Town Board of the Town of Cheektowaga, Erie County, New York, meet at the Town Hall, corner Union Road and Broadway in said Town on the 2nd day of June, 1952, at 2:30 o'clock P. M., Eastern Daylight Saving Time, for the purpose of considering the advisa-

bility of adopting said Twenty-Five Year Plan Retirement System for the Police Department of the Town of Cheektowaga, New York, and the hearing of persons interested in the subject thereof concerning the same; and

BE IT FURTHER RESOLVED, 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, and the Depew Herald and Cheektowaga News, two newspapers published in the Town of Cheektowaga, not less than ten (10) nor more than twenty (20) days prior to the date set for said public hearing, and that not less than ten (10) nor more than twenty (20) days prior to the date of said public hearing, the Town Clerk post conspicuously or cause to be posted conspicuously certified copies of this order in at least six (6) public places within the Town of Cheektowaga, New York.

Seconded by Councilman Neibert 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 Brystrak, Voting Aye  
Ayes: 5; Noes: 0; Absent: 0.

State of New York )  
Erie County )  
Office of the Clerk of the ) 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 19th day of May, 1952, 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 (Seal) and affixed the seal of said Town this 19th day of May, 1952.

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

- 1- Town Hall Bulletin Board;
- 2- U-Crest Fire House, Clover Place and Evergreen Street;
- 3- Forks Fire House, Broadway and Union Road;
- 4- Pine Hill Fire House, Genesee Street and Normandy Avenue;
- 5- Rescue Fire House, Pine Ridge Road;
- 6- Bellevue Fire House, Como Parl Boulevard;

Hereto attached is a copy of notices published in the Cheektowaga Times and the Depew Herald & Cheektowaga News;

#### NOTICE OF HEARING

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 19th day of May, 1952, 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  
Stanley Bystrak, Councilman

ABSENT: None

Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, there has been presented to the Town Board a request to adopt the Twenty-Five Year Plan Retirement System for the Police Department of the Town of Cheektowaga, New York, by the terms of which plan the Town of Cheektowaga would be required to pay on account of any member of its Police Department who has duly elected or shall hereafter duly elect to contribute to the additional amount required for the purpose of retiring after twenty-five years of service, as provided by Subdivision I of Section 88 of the Civil Service Law, or any subsequent amendment thereto, the entire additional cost on account of the police service rendered by such officer or member of the Police Department prior to the date of the adoption of the resolution, and further agrees to pay 1/2 of the additional cost on account of police service rendered by such officer or member of the Police Department after the adoption of the resolution; and

WHEREAS, the adoption of such Retirement Plan requires a contribution by the Town of Cheektowaga, New York, of a large sum of money;

BE IT RESOLVED that the Town Board of the Town of Cheektowaga, Erie County, New York, meet at the Town Hall, corner Union Road and Broadway, in said Town on the 2nd day of June, 1952, at 2:30 o'clock P.M., Eastern Daylight Saving Time, for the purpose of considering the advisability of adopting said Twenty-Five Year Plan Retirement System for the Police Department of the Town of Cheektowaga, New York, and the hearing of persons interested in the subject thereof concerning the same; and

BE IT FURTHER RESOLVED, 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, and the Depew Herald and Cheektowaga News, two newspapers published in the Town of Cheektowaga not less than ten (10) nor more than twenty (20) days prior to the date set for said public hearing, and that not less than ten (10) nor more than twenty (20) days prior to the date of said public hearing, the Town Clerk post conspicuously or cause to be posted conspicuously certified copies of this order in at least six (6) public places within the Town of Cheektowaga, New York.

Seconded by Councilman Neibert 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: 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 19th day of May, 1952, 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 19th day of May, 1952.

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

(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 MAY 22 1952; last publication same; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of MAY 27 1952, 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

**LEGAL 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 19th day of May, 1952, at 7:30 o'clock

six (6) public places within the Town of Cheektowaga, New York.

Seconded by Councilman Neibert 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: 5; Noes: 0; Absent: 0.

State of New York )  
Erie County )  
Office of the Clerk of the ) 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 19th day of May, 1952, 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 19th day of May, 1952.

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

RICHARD G. BENNETT

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

1 week, the first insertion being on the

22nd day of May, 1952, and

the last insertion being on the day of

1952, and that not

more than six days intervened between any two publi-

cations thereof.

*Richard G. Bennett*

Sworn to before me this 2nd day of

June, 1952

*Anthony J. Kruger*

Notary Public in and for Erie County.

My 517779 Notary Public in and for Erie County, New York

My Commission Expires Mar. 30, 1957

Reg. No. 2706



Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in said Town of Cheektowaga on the 19th day of May, 1952, 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  
Stanley Bystrak, Councilman

## ABSENT: None.

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 the highway known as Sugnet Road by the construction of a lateral sewer in said highway, to wit:

The entire length of Sugnet Road, extending from Cleveland Drive, south, to Fontaine Drive.

Said sewer shall be constructed to serve the properties on 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 Nine Thousand, Five Hundred Dollars (\$9,500.00) for a dual sewer;

## 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 Union Road and Broadway, in said Town, on the 2nd day of June, 1952, at 2:30 o'clock P.M., E.D.S.T., for the purpose of considering the petition and hearing of persons interested in the subject thereof concerning the same, and be it

FURTHER RESOLVED 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, a newspaper published in the Town of Cheektowaga, N. Y. 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 Neibert and duly put to a vote, which resulted as follows:

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

Councilman Bystrak, voting Aye  
Councilman Neibert, voting Aye

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 19th day of May, 1952, 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 19th day of May, 1952.

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



STATE OF NEW YORK  
COUNTY OF ERIE

LEGAL 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 19th day of May, 1952, 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  
Stanley Brystrak, Councilman

ABSENT: None

Councilman Brystrak presented the following resolution and moved its adoption:

WHEREAS, there has been presented to the Town Board a request to adopt the Twenty-Five Year Plan Retirement System for the Police Department of the Town of Cheektowaga, New York, by the terms of which plan the Town of Cheektowaga would be required to pay on account of any member of its Police Department who has duly elected or shall hereafter duly elect to contribute to the additional amount required for the purpose of retiring after twenty-five years of service, as provided by Subdivision 1 of Section 88 of the Civil Service Law, or any subsequent amendment thereto, the entire additional cost on account of the police service rendered by such officer or member of the Police Department prior to the date of the adoption of the resolution, and further agrees to pay 1/2 of the additional cost on account of police service rendered by such officer or member of the Police Department after the adoption of the resolution; and

WHEREAS, the adoption of such Retirement Plan requires a contribution by the Town of Cheektowaga, New York, of a large sum of money;

BE IT RESOLVED that the Town Board of the Town of Cheektowaga, Erie County, New

York, meet at the Town Hall, corner Union Road and Broadway in said Town on the 2nd day of June, 1952, at 2:30 o'clock P. M., Eastern Daylight Saving Time, for the purpose of considering the advisability of adopting said Twenty-Five Year Plan Retirement System for the Police Department of the Town of Cheektowaga, New York, and the hearing of persons interested in the subject thereof concerning the same; and

BE IT FURTHER RESOLVED, 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, and the Depew Herald and Cheektowaga News, two newspapers published in the Town of Cheektowaga, not less than ten (10) nor more than twenty (20) days prior to the date set for said public hearing, and that not less than ten (10) nor more than twenty (20) days prior to the date of said public hearing, the Town Clerk post conspicuously or cause to be posted conspicuously certified copies of this order in at least six (6) public places within the Town of Cheektowaga, New York.

Seconded by Councilman Neibert 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 Brystrak, Voting Aye  
Ayes: 5; Noes: 0; Absent: 0.

State of New York )  
Erie County )  
Office of the Clerk of the ) 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 19th day of May, 1952, 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 (Seal) and affixed the seal of said Town this 19th day of May, 1952.

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

RICHARD G. BENNETT

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 week, the first insertion being on the 22nd day of May, 1952, and the last insertion being on the day of 19, and that not more than six days intervened between any two publications thereof.

Richard G. Bennett

nd day of

19 52

for Erie County.

Erie County, New York

Mar. 20, 1952

2706

Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in said Town of Cheektowaga on the 19th day of May, 1952, 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  
Stanley Bystrak, Councilman

## ABSENT: None.

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 the highway known as Sugnet Road by the construction of a lateral sewer in said highway, to wit:

The entire length of Sugnet Road, extending from Cleveland Drive, south, to Fontaine Drive.

Said sewer shall be constructed to serve the properties on 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 Nine Thousand, Five Hundred Dollars (\$9,500.00) for a dual sewer;

## 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 Union Road and Broadway, in said Town, on the 2nd day of June, 1952, at 2:30 o'clock P.M., E. D. S. T., for the purpose of considering the petition and hearing of persons interested in the subject thereof concerning the same, and be it

FURTHER RESOLVED 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, a newspaper published in the Town of Cheektowaga, N. Y. 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 Neibert and duly put to a vote, which resulted as follows:

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

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 19th day of May, 1952, 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 19th day of May, 1952.

KENNETH T. HANLEY,  
Clerk of the Town Board,

(SEAL)

- Posted as follows on the 22nd day of May, 1952;
- 1- Telephone on the southwest corner of Cleveland Drive and Sugnet Road;
  - 2- Post on Sugnet Road, east side, 50 feet south of Cleveland Drive;
  - 3- Post on Sugnet Road, west side, 100 feet south of Cleveland Drive;
  - 4- Post on Sugnet Road, east side, 200 feet south of Cleveland Drive;
  - 5- Post on the northwest corner of Fontaine Drive and Sugnet Road;

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

#### NOTICE OF HEARING Sanitary Sewer 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 19th day of May, 1952, 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  
Stanley Bystrak, Councilman

ABSENT: None.

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 the highway known as Sugnet Road by the construction of a lateral sewer in said highway, to wit:

The entire length of Sugnet Road, extending from Cleveland Drive, south, to Fontaine Drive.

Said sewer shall be constructed to serve the properties on 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 Nine Thousand, Five Hundred Dollars (\$9,500.00) for a dual sewer;

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 Union Road and Broadway, in said Town, on the 2nd day of June, 1952, 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 RESOLVED 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, a newspaper published in the Town of Cheektowaga, N. Y. 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 Neibert 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: 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 19th day of May, 1952, 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 19th day of May, 1952.

KENNETH T. HANLEY,  
Clerk of the Town Board,  
Town of Cheektowaga,  
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 week; first publication MAY 22 1952; last publication same; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of MAY 27 1952, 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 presented at this meeting for audit be approved, and that the Town Clerk be authorized and directed to draw orders on the Supervisor for payment of same. ( Orders No. 1131 to N<sup>O</sup> 1225, Inclusive, drawn on the Supervisor.

Councilman Nagel moved, seconded by Councilman Bystrak, to adjourn.

*Kenneth T. Hanley*  
Kenneth T. Hanley

Town Clerk.

SEAL.

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 2nd day of June, 1952, 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-.

Also present were: Town Clerk Hanley; Town Attorney Doyle; General Foreman Eberle; Chairman of the Zoning Board of Appeals Kurnick; Assessors Jerzewski, Schwenk and Rudzinski; Town Historian Mrs. Reinstein; Chief of Police Marynowski; Town Engineer Kam; Tax Collector Pfohl; Highway Superintendent Zablotny and Dog Warden Kraska.

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

Communication read from Recreational Director Janiak requesting permission to use four voting booths at various parks in the Town. Ordered referred to the Town Board by Supervisor Holtz.

Communication read from the Grover Cleveland Club of Cheektowaga advising the Town Board that they approve the proposed 25 year pension plan for the Town Policemen. Ordered received and filed by Supervisor Holtz.

Communication read from Claude H. Eggleston, requesting a Boulevard Stop and Go Signs to be installed at the south-west corner of Burke Drive and Kenview Boulevard. Ordered referred to Councilman Wroblewski, Chairman of the Petitions Committee by Supervisor Holtz.

Communication read from Joseph P. Leahy and Twelve Taxpayers in the Huth Road and South Huxley Drive section of the Town, wishing to go on record as being opposed to any re-zoning of property on Huth Road and South Huxley Drive. Ordered received and filed by Supervisor Holtz.

Sub-Division map of Queen Heights Sub-division presented for Town Board approval. Ordered referred to the Town Board for study by Supervisor Holtz.

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the Town Clerk be authorized and directed to issue Building Permits on all applications processed by the Petitions Committee on May 24, 1952 and June 2, 1952, after same have been approved by the Building Inspector.

Seconded by Councilman Bystrak.

CARRIED: AYES: -5-.

Councilman Neibert presented the following resolution and moved its adoption:

RESOLVED, that the Highway Superintendent and Councilman Nagel be authorized and directed to attend the School for Superintendents of Highways at Ithaca, New York, on June 15th, 16th, 17th and 18th, 1952.

Seconded by Councilman Bystrak.

CARRIED: AYES: -5-.

Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the New York State Gas and Electric Company be authorized and directed to install 1-1,000 lumen light on Pole No. 34  $\frac{1}{2}$  on Clinton Street, in the Town of Cheektowaga, New York.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -5-.

Councilman Bystrak presented the following resolution and moved, its adoption:

**RESOLVED**, that the New York State Gas and Electric Corporation be authorized to make the following changes in street lights on Dick Road, in the Town of Cheektowaga, New York;

Remove present 1,000 lumen lights on Pole No. 72, Pole No. 75, Pole No. 79 and Pole No. 83, and replace with 2500 lumen lights.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -5-.

Notice of hearing-Westbrook Drive Street Lighting Equipment.

NOTICE OF HEARING  
Street Lighting Equipment

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 2nd day of June, 1952, at 2:30 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  
Stanley Bystrak, Councilman

**ABSENT:** None

Mr. Bystrak presented the following resolution and moved its adoption:

**WHEREAS**, a petition for the improvement of both sides of the public highways situate in Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 17th day of April, 1952.

**PUBLIC HIGHWAYS  
TO BE IMPROVED**

Westbrook Drive FROM Harlem Road TO End of Street.

**TYPE OF STREET LIGHTING  
INSTALLATION**

Y-20 with underground conduits.

**WHEREAS**, EDWARD B. JERZEWSKI, ANDREW H. SCHWENK and EUGENE A. RUDZYNSKI, 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 16th day of June, 1952, at 7:30 o'clock P.M., E.D.S.T. 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 (5) 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:

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

Councilman Neibert, voting Aye.  
Councilman Bystrak, voting Aye.  
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 2nd day of June, 1952, 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 2nd day of June, 1952.

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

Posted as follows on the 6th day of June, 1952:

56

- 1- Telephone Pole at the north-east corner of Harlem Road and Westbrook Dr.
- 2- Post at the south-east corner of Harlem Road and Westbrook Drive;
- 3- Post in front of No. 42 Westbrook Drive;
- 4- Telephone Pole No. 79 R 1, Westbrook Drive;
- 5- Telephone Pole at the south-east corner of Woodridge Avenue and Westbrook Drive;

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

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

**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 2nd day of June, 1952, at 2:30 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  
Stanley Bystrak, Councilman

**ABSENT:** None

Mr. Bystrak presented the following resolution and moved its adoption:

WHEREAS, a petition for the improvement of both sides of the public highways situate in Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 17th day of April, 1952.

**PUBLIC HIGHWAYS**  
**TO BE IMPROVED**

Westbrook Drive FROM Harlem Road TO End of Street.

**TYPE OF STREET LIGHTING**  
**INSTALLATION**

Y-20 with underground conduits.

WHEREAS, EDWARD B. JERZEWSKI, ANDREW H. SCHWENK and EUGENE A. RUDZYNSKI, 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 16th day of June, 1952, at 7:30 o'clock P.M., E.D.S.T. 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 (5) 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:

Supervisor Holtz, voting Aye.

Councilman Nagel, voting Aye.

Councilman Wroblewski, voting Aye.

Councilman Neibert, voting Aye.

Councilman Bystrak, voting Aye.

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 2nd day of June, 1952, 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 2nd day of June, 1952.

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

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 JUN 5 1952; last publication same; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of JUN 7 1952, 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:

on the 2nd day of June, 1952, the Town Board of the Town of Cheektowaga, Erie County, New York, adopted the following resolution:

**CAPITAL NOTE RESOLUTION DATED JUNE 2, 1952, AUTHORIZING THE ISSUANCE OF \$12,500 REFUSE AND GARBAGE DISTRICTS CAPITAL NOTES OF THE TOWN OF CHEEKTOWAGA IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW.**

WHEREAS, the expense of acquiring the equipment hereinafter described must be borne by local assessment upon the several lots and parcels of land within the refuse and garbage districts of the Town by assessment, levy and collection thereof in the same manner and at the same time as other Town charges pursuant to Subdivision 3 of Section 202 of the Town Law, and the Town Board desires to issue capital notes to finance the cost of such acquisition and to annually assess upon the several lots and parcels of land within the refuse and garbage districts an amount sufficient to pay the principal of and interest on the capital notes issued for such equipment as the same shall become due and payable, all of which shall be done in accordance with the provisions of Subdivision 3 of Section 202 of the Town Law.

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 capital notes in the aggregate principal amount of \$12,500 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 purchase of three motor vehicles, to wit:

2—1952 two ton Chevrolet trucks with gallon LD-5 Scow type bodies.

1—Oliver Crawler Tractor.

which motor vehicles shall be purchased on behalf of and for the use of the following refuse and garbage districts of the Town of Cheektowaga:

Clinton and William, number one.

U-Crest, number two.

Walden, number three.

Pine Hill-Delavan, number four.

Cleveland Hill, number five.

Maryvale, number six.

Orchard Hill, number seven.

City Edge View, number eight.

Broadway, number nine.

Tiorunda, number ten.

Bellevue, number eleven.

Cayuga Creek Road, number twelve.

South Union Road, number thirteen.

Como Park-Union Road, number fourteen.

Section 3—It is hereby stated that:

(a) The purchase cost of said

equipment is estimated to be

ment of the cost of said purpose; and

(c) The Town Board plans to finance the cost of said purpose entirely by funds raised by the issuance of said capital notes; and

(d) All of such cost is to be paid by assessments upon the several lots and parcels of land within the said refuse and garbage districts above set forth, such assessments to be made in the same manner and at the same time as other Town charges, pursuant to Subdivision 3 of Section 202 of the Town Law.

Section 4—For the purpose of paying the cost of such purpose, there are hereby authorized to be issued pursuant to the Local Finance Law, \$12,500 capital notes of the Town of Cheektowaga, to be designated substantially Refuse and Garbage Districts Capital Notes, Series A of 1952, which shall bear a date not earlier than June 2, 1952, to be fixed by the Supervisor, in the denomination of \$6,250.00 each, numbered 1 and 2, maturing in numerical order in the amount of \$6,250.00 on April 1 in each of the years 1953 and 1954 and bearing interest at a rate not exceeding five per centum (5%) per annum, payable semi-annually on April 1 and October 1. Such notes shall be in bearer form with the privilege of conversion into capital notes registered as to both principal and interest and shall be payable as to both principal and interest in lawful money of the United States of America, at the Manufacturers and Traders Trust Company in Buffalo, New York, which by contract is the paying agent of the issuer. Such capital notes shall be signed in the name of the Town of Cheektowaga by its Supervisor, and sealed with its corporate seal and attested by its Town Clerk.

Section 5—all other matters, except as provided herein, relating to such capital notes shall be determined by the Supervisor. Such capital notes shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals in addition to those required by Section 51.00 of the Local Finance Law as the Supervisor shall determine.

Section 6—The faith and credit of the Town of Cheektowaga are hereby irrevocably pledged to the payment of the principal of and interest on such capital notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such capital note becoming due and payable in such year. There shall annually be assessed upon the several lots and parcels of land within the said refuse and garbage districts in the same manner and at the same time as other Town charges and in the manner provided in Subdivision 3 of Section 202 of the Town Law, an amount sufficient to pay the

such come

Section 7—Such capital notes shall be sold at private sale by the Supervisor at a price of not less than par value of and accrued interest, if any, and the proceeds of such sale shall be applied solely for the purpose aforesaid, but the receipt of the Supervisor shall be a full acquittance to the purchaser of such capital notes who shall not be obliged to see to the application of the purchase money.

Section 8—It is hereby determined that said purpose is an object or purpose described in Subdivision 29 of paragraph a. of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five years.

Section 9—It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of three years.

Section 10—The validity of said capital notes 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 11—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 the said Local Finance Law, and such publication shall be in the Cheektowaga Times, a newspaper published and having a general circulation in said Town, and which newspaper is the official paper of this Town.

Section 12—This resolution shall take effect immediately upon its adoption.

The capital note resolution published herewith has been adopted on the 2nd day of June, 1952, and the validity of the obligations authorized by such capital note 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 of the  
Town of Cheektowaga,  
New York

3  
Seconded by Councilman Wroblewski and duly put to a vote which resulted as follows:

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

Voting AYE  
Voting AYE  
Voting AYE  
Voting AYE  
Voting AYE

CARRIED: AYES: -5-

NOES: -0-.

Hereto attached is a copy of notice published in the Cheektowaga Times

OF NEW YORK  
BY OF ERIE  
OF CHEEKTOWAGA } ss.

RD 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 weekly in said Town; that the notice, of the annexed printed slip, taken from said paper is a copy, was inserted and published in said paper once a week for one week; publication JUN 5 1952; publication same; that no more than six days intervened between said publications.

*Richard C. Allis*

before me this.....

JUN 7 1952, 19.....

*Eve J. Allis*

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

## LEGAL NOTICE

NOTICE IS HEREBY GIVEN that on the 2nd day of June, 1952, the Town Board of the Town of Cheektowaga, Erie County, New York, adopted the following resolution:

**CAPITAL NOTE RESOLUTION DATED JUNE 2, 1952, AUTHORIZING THE ISSUANCE OF \$12,500 REFUSE AND GARBAGE DISTRICTS CAPITAL NOTES OF THE TOWN OF CHEEKTOWAGA IN THE COUNTY OF ERIE PURSUANT TO THE LOCAL FINANCE LAW.**

WHEREAS, the expense of acquiring the equipment hereinafter described must be borne by local assessment upon the several lots and parcels of land within the refuse and garbage districts of the Town by assessment, levy and collection thereof in the same manner and at the same time as other Town charges pursuant to Subdivision 3 of Section 202 of the Town Law, and the Town Board desires to issue capital notes to finance the cost of such acquisition and to annually assess upon the several lots and parcels of land within the refuse and garbage districts an amount sufficient to pay the principal of and interest on the capital notes issued for such equipment as the same shall become due and payable, all of which shall be done in accordance with the provisions of Subdivision 3 of Section 202 of the Town Law.

### 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 herein after described, the Town of Cheektowaga in the County of Erie shall issue its capital notes in the aggregate principal amount of \$12,500 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 purchase of three motor vehicles, to wit:

2—1952 two ton Chevrolet trucks with gallon LD-5 Scow type bodies.

1—Oliver Crawler Tractor, which motor vehicles shall be purchased on behalf of and for the use of the following refuse and garbage districts of the Town of Cheektowaga:

Clinton and William, number one.  
U-Crest, number two.  
Walden, number three.  
Pine Hill-Delavan, number four.  
Cleveland Hill, number five.  
Maryvale, number six.  
Orchard Hill, number seven.  
City Edge View, number eight.  
Broadway, number nine.  
Tiorunda, number ten.  
Bellevue, number eleven.  
Cayuga Creek Road, number twelve.  
South Union Road, number thirteen.

Como Park-Union Road, number fourteen.

Section 3—It is hereby stated that: (a) The maximum cost of said purpose as estimated by the Town

Board is \$12,500; 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 by funds raised by the issuance of said capital notes; and

(d) All of such cost is to be paid by assessments upon the several lots and parcels of land within the said refuse and garbage districts above set forth, such assessments to be made in the same manner and at the same time as other Town charges, pursuant to Subdivision 3 of Section 202 of the Town Law.

Section 4—For the purpose of paying the cost of such purpose, there are hereby authorized to be issued pursuant to the Local Finance Law, \$12,500 capital notes of the Town of Cheektowaga, to be designated substantially Refuse and Garbage Districts Capital Notes, Series A of 1952, which shall bear a date not earlier than June 2, 1952, to be fixed by the Supervisor, in the denomination of \$6,250.00 each, numbered 1 and 2, maturing in numerical order in the amount of \$6,250.00 on April 1 in each of the years 1953 and 1954 and bearing interest at a rate not exceeding five per centum (5%) per annum, payable semi-annually on April 1 and October 1. Such notes shall be in bearer form with the privilege of conversion into capital notes registered as to both principal and interest and shall be payable as to both principal and interest in lawful money of the United States of America, at the Manufacturers and Traders Trust Company in Buffalo, New York, which by contract is the paying agent of the issuer. Such capital notes shall be signed in the name of the Town of Cheektowaga by its Supervisor, and sealed with its corporate seal and attested by its Town Clerk.

Section 5—all other matters, except as provided herein, relating to such capital notes shall be determined by the Supervisor. Such capital notes shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals in addition to those required by Section 51.00 of the Local Finance Law as the Supervisor shall determine.

Section 6—The faith and credit of the Town of Cheektowaga are hereby irrevocably pledged to the payment of the principal of and interest on such capital notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such capital note becoming due and payable in such year. There shall annually be assessed upon the several lots and parcels of land within the said refuse and garbage districts in the same manner and at the same time as other Town charges and in the manner provided in Subdivision 3 of Section 202 of the Town Law, an amount sufficient to pay the

principal of and interest on such capital notes as the same become due and payable.

Section 7—Such capital notes shall be sold at private sale by the Supervisor at a price of not less than par value of and accrued interest, if any, and the proceeds of such sale shall be applied solely for the purpose aforesaid, but the receipt of the Supervisor shall be a full acquittance to the purchaser of such capital notes who shall not be obliged to see to the application of the purchase money.

Section 8—It is hereby determined that said purpose is an object or purpose described in Subdivision 29 of paragraph a. of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five years.

Section 9—It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of three years.

Section 10—The validity of said capital notes 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 11—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 the said Local Finance Law, and such publication shall be in the Cheektowaga Times, a newspaper published and having a general circulation in said Town, and which newspaper is the official paper of this Town.

Section 12—This resolution shall take effect immediately upon its adoption.

The capital note resolution published herewith has been adopted on the 2nd day of June, 1952, and the validity of the obligations authorized by such capital note 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 of the  
Town of Cheektowaga,  
New York.

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

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

Voting AYE  
Voting AYE  
Voting AYE  
Voting AYE  
Voting AYE

CARRIED: AYES: -5-

NOES: -0-.

Hereto attached is a copy of notice published in the Cheektowaga Times.

rd is \$12,500; and  
b) No money has heretofore been authorized to be applied to the payment of the cost of said purpose;  
c) The Town Board plans to finance the cost of said purpose entirely by funds raised by the issuance of said capital notes; and  
d) All of such cost is to be paid assessments upon the several lots and parcels of land within the town of Cheektowaga, to be designated as Refuse and Garbage Districts. Refuse and garbage districts are set forth, such assessments to be made in the same manner and at the same time as other Town charges, pursuant to Subdivision 3 of Section 202 of the Town Law.  
Section 4—For the purpose of paying the cost of such purpose, there is hereby authorized to be issued up to the Local Finance Law, \$250,000 capital notes of the Town of Cheektowaga, to be designated as Refuse and Garbage Districts Capital Notes, Series A, of which shall bear a date not later than June 2, 1952, to be fixed by the Supervisor, in the denomination of \$6,250.00 each, numbered 1 through 40, maturing in numerical order on the 1st day of April of each year from 1953 to 1954, bearing interest at a rate not exceeding five per centum (5%) per annum, payable semi-annually on the 1st day of January and the 1st day of July. Such notes shall be in bearer form with the signature of the Supervisor, and shall be registered as to both principal and interest and shall be payable as to both principal and interest in full by the Town of Cheektowaga, at the Manufacturers and Traders Trust Company in Buffalo, New York, which by contract is paying agent of the issuer. Capital notes shall be signed in the name of the Town of Cheektowaga by its Supervisor, and sealed with its corporate seal and attested by the Town Clerk.  
Section 5—all other matters, except as provided herein, relating to capital notes shall be determined by the Supervisor. Such capital notes shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals in addition to those required by Section 51.00 of the Local Finance Law as the Supervisor may determine.  
Section 6—The faith and credit of the Town of Cheektowaga are hereby irrevocably pledged to the payment of the principal of and interest on such capital notes as the same actively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on capital notes becoming due and payable in such year. There shall be assessed upon the several lots and parcels of land within said refuse and garbage districts the same manner and at the same time as other Town charges and in the manner provided in Subdivision 3 of Section 202 of the Town Law, amount sufficient to pay the

principal of and interest on such capital notes as the same become due and payable.

Section 7—Such capital notes shall be sold at private sale by the Supervisor at a price of not less than par value of and accrued interest, if any, and the proceeds of such sale shall be applied solely for the purpose aforesaid, but the receipt of the Supervisor shall be a full acquittance to the purchaser of such capital notes who shall not be obliged to see to the application of the purchase money.

Section 8—It is hereby determined that said purpose is an object or purpose described in Subdivision 29 of paragraph a. of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five years.

Section 9—It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of three years.

Section 10—The validity of said capital notes 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 11—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 the said Local Finance Law, and such publication shall be in the Cheektowaga Times, a newspaper published and having a general circulation in said Town, and which newspaper is the official paper of this Town.

Section 12—This resolution shall take effect immediately upon its adoption.

The capital note resolution published herewith has been adopted on the 2nd day of June, 1952, and the validity of the obligations authorized by such capital note 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 of the  
Town of Cheektowaga,  
New York.

THE PEOPLE OF THE  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA } ss.

I, WARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, depose and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of the annexed printed slip, taken from said paper is a copy, was inserted and published in said paper once a week for one week; publication JUN 5 1952; publication same; that no more than six days intervened between publications.

Ward C. Allis  
Subscribed and sworn to before me this JUN 7 1952, 1952.  
Evel 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. 5078

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the Supervisor be and he is hereby authorized to purchase from Mernan Chevrolet, Inc., Two 1952 Chevrolet, Model 6403, 2-Ton Chassis and Cab, equipped with 825-20-10 Ply Tires, dual rear; 2-Speed Axle; Heater and Defroster; Signals and Oil Filter-

WITH

Galion LD-5 Scow Type Body, capacity 8 cubic yards; 4- Tow Hooks; Tool Box- 18 x 36 x 15 ; Cab Shield; Special Diamond Plate Running Board to be mounted 4" lower for convenience of curb men. Steps on front of body; special grab rails on each side of car, for the sum of Eight Thousand Three Hundred Fifty-three Dollars and Twenty-Two Cents (\$8,353.22).  
Seconded by Councilman Neibert. CARRIED: AYES: -5-.

Councilman Nagel presented the following resolution and moved its adoption:

RESOLVED, that the Supervisor, be, and he is hereby authorized to purchase from Rupp Equipment Company, 101 Great Arrow Avenue, Buffalo 16, New York, 1-Oliver, Model "OC-3" Tractor with Rubber Treads and Angle Dozer for the sum of Three Thousand Five Hundred Fourteen Dollars (\$3,514.00).

Seconded by Councilman Bystrak.

CARRIED: AYES: -5-.

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, the Town of Cheektowaga by appropriate resolution and action of its Town Board established a fire protection district, a complete description of which is contained in the resolution creating said Fire Protection District and in the Notice of Public Hearing made a part of this resolution, and

WHEREAS, the Bowmansville Volunteer Fire Association, Inc., a corporation organized under the Membership Corporation Law of the State of New York, having its office at Bowmansville, Town of Lancaster, New York, has offered in writing to enter into a contract with the Town of Cheektowaga to furnish adequate fire protection to said Fire Protection District for a period of five (5) years commencing January 1st, 1953 and ending on December 31st, 1957, in consideration of receiving from the Town of Cheektowaga such an amount as may be raised by an assessment at the rate of 1.80 per thousand dollar assessed valuation, levied against the real property situated within the limits of the Fire Protection District, and the payment of said money to be made to the corporation between the 1st day of March and the 1st day of April of each year, and

WHEREAS, the said Bowmansville Volunteer Fire Association, Inc., represents that it has adequate and suitable fire fighting apparatus and equipment, as well as sufficient member and personnel to enable it to furnish suitable and adequate fire protection to the property within said Fire Protection District, and

WHEREAS, it is essential to provide fire protection to said Fire Protection District by entering into a contract with a fire district or fire company capable of providing suitable and adequate fire protection to the property within the boundaries of said Fire Protection District;

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board meet at the Town Hall on June 16th, 1952, at 7:30 o'clock P.M., Eastern Daylight Saving Time, for the purpose of considering the advisability of entering into a contract with the said Bowmansville Volunteer Fire Association, Inc., to provide fire protection for said Fire Protection District, and the hearing of persons interested in the subject matter concerning the same, and

BE IT FURTHER RESOLVED, that the annexed notice of said meeting be published in the Cheektowaga Times and in the Depew Herald & Cheektowaga News, two newspapers having general circulation within said Fire Protection District, not less than ten (10) nor more than twenty (20) days prior to the date of hearing, and

BE IT FURTHER RESOLVED, that the Town Clerk post or cause to be posted conspicuously in five (5) public places within the boundaries of said Fire Protection District a notice of said public hearing not less than ten (10) nor more than twenty (20) days before the date of the hearing.

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

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

Voting AYE  
Voting AYE  
Voting AYE  
Voting AYE  
Voting AYE

CARRIED: AYES: -5-

NOES: -0-

NOTICE OF HEARING

**NOTICE OF HEARING**

**Fire Protection District**

NOTICE IS HEREBY GIVEN, that there will be a public hearing held by the Town Board of the Town of Cheektowaga, New York, at the Town Hall, corner of Union and Broadway, Cheektowaga, New York, on the 16th day of June, 1952, at 7:30 o'clock P.M., Eastern Daylight Saving Time, for the purpose of considering the advisability of the Town Board's entering into a contract with the Bowmansville Volunteer Fire Association, Inc., a corporation organized under the Membership Corporation Law of the State of New York, having its office at Bowmansville, Town of Lancaster, New York, for the furnishing of fire protection to the Fire Protection District briefly described as follows:

COMMENCING in the center line of Transit Road at the north line of the Village of Depew, running thence west along the north line of the Village of Depew to the east line of the lands of the Lehigh Valley Railroad thence north along the East line of lands of the Lehigh Valley Railroad to the north line of lands of the West Shore Railroad, thence west along the north line of lands of the West Shore Railroad to the west line of lands of Albert J. Schulenberg, thence north along the west line of said lands of Albert J. Schulenberg to the center line of Genesee Street, thence east along the center line of Genesee Street to the center line of the Sugg Road, thence north along the center line of Sugg Road to the north line of the lands of the Lehigh Valley Railroad, thence west along the north line of the lands of the Lehigh Valley Railroad to the center line of Spies Road, thence north along the center line of Spies Road to the north line of the Town of Cheektowaga, thence east along the north line of the Town of Cheektowaga to the east line of the Town of Cheektowaga, and thence south along the east line of the Town of Cheektowaga to the place of beginning.

And the hearing of persons interested in the subject thereof concerning the same, that the terms of said contract to be considered at said public hearing are substantially as follows:

**TERMS OF CONTRACT**  
The Bowmansville Volunteer Fire Association, Inc., agrees that it has adequate and suitable fire fighting apparatus and equipment as well as sufficient membership and personnel to enable it to furnish suitable, prompt and adequate fire protection to the said Fire Protection District.

The corporation agrees that it will throughout the term of the contract furnish adequate, suitable and prompt fire protection to the said Fire Protection District, and it further agrees that it and its members will promptly respond to and attend any and all fires occurring in said District, and to the best of its and their ability will extinguish such fires and prevent the loss of life and injury to persons or property therefrom.

In consideration of providing said service to the Fire Protection District, the Town of Cheektowaga will agree on behalf of said Fire Protection District that it will pay to the said Bowmansville Volunteer Fire Association, Inc., such an amount of money as may be raised by an assessment at the rate of 1.80 per thousand dollar assessed valuation, levied against the real property situated within the limits of the Fire Protection District and the payment of said money to the corporation between the 1st day of March and the 1st day of April of each year.

The term of said contract shall be for five (5) years, from the 1st day of January, 1953, to December 31st, 1957.

Dated: June 2nd, 1952.

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

**ROBERT T. HASTON**  
Town Clerk.

Posted as follows on the 6th day of June, 1952;

- 1- Telephone Pole No. 233, Genesee Street;
- 2- Telephone Pole No. 13, Sugg Road;
- 3- Telephone Pole No. 297, Genesee Street;
- 4- Telephone Pole Corner of Transit Road and Pfohl Road;
- 5- Telephone Pole No. 15, Aero Drive;
- 6- Town Hall Bulletin Board;

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

#### NOTICE OF HEARING

##### Fire Protection District

NOTICE IS HEREBY GIVEN, that there will be a public hearing held by the Town Board of the Town of Cheektowaga, New York, at the Town Hall, corner of Union and Broadway, Cheektowaga, New York, on the 16th day of June, 1952, at 7:30 o'clock P.M., Eastern Daylight Saving Time, for the purpose of considering the advisability of the Town Board's entering into a contract with the Bowmansville Volunteer Fire Association, Inc., a corporation organized under the Membership Corporation Law of the State of New York, having its office at Bowmansville, Town of Lancaster, New York, for the furnishing of fire protection to the Fire Protection District briefly described as follows:

COMMENCING in the center line of Transit Road at the north line of the Village of Depew, running thence west along the north line of the Village of Depew to the east line of the lands of the Lehigh Valley Railroad thence north along the East line of lands of the Lehigh Valley Railroad to the north line of lands of the West Shore Railroad, thence west along the north line of lands of the West Shore Railroad to the west line of lands of Albert J. Schulenberg, thence north along the west line of said lands of Albert J. Schulenberg to the center line of Genesee Street, thence east along the center line of Genesee Street to the center line of the Sugg Road, thence north along the center line of Sugg Road to the north line of the lands of the Lehigh Valley Railroad, thence west along the north line of the lands of the Lehigh Valley Railroad to the center line of Spies Road, thence north along the center line of Spies Road to the north line of the Town of Cheektowaga, thence east along the north line of the Town of Cheektowaga to the east line of the Town of Cheektowaga, and thence south along the east line of the Town of Cheektowaga to the place of beginning.

And the hearing of persons interested in the subject thereof concerning the same. That the terms of said contract to be considered at said public hearing are substantially as follows:

##### TERMS OF CONTRACT

The Bowmansville Volunteer Fire Association, Inc., agrees that it has adequate and suitable fire fighting apparatus and equipment as well as sufficient membership and personnel to enable it to furnish suitable, prompt and adequate fire protection to the said Fire Protection District.

The corporation agrees that it will throughout the term of the contract furnish adequate, suitable and prompt fire protection to the said Fire Protection District, and it further agrees that it and its members will promptly respond to and attend any and all fires occurring in said District, and to the best of its and their ability will extinguish such fires and prevent the loss of life and injury to persons or property therefrom.

In consideration of providing said service to the Fire Protection District, the Town of Cheektowaga will agree on behalf of said Fire Protection District that it will pay to the said Bowmansville Volunteer Fire Association, Inc., such an amount of money as may be raised by an assessment at the rate of 1.80 per thousand dollar assessed valuation, levied against the real property situated within the limits of the Fire Protection District and the payment of said money to the corporation between the 1st day of March and the 1st day of April of each year.

The term of said contract shall be for five (5) years, from the 1st day of January, 1953, to December 31st, 1957.

Dated: June 2nd, 1952.

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

KENNETH T. HANLEY,  
Town Clerk.

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 week; first publication JUN 5 1952; last publication same; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of JUN 7 1952, 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, Charles Iwanski, residing at No. \_\_\_\_\_, successfully passed a competitive Civil Service examination as a Patrolman of the Town of Cheektowaga, New York, and is second on the Civil Service List, Thomas F. Zak, being first on the list, but having declined appointment at this time,

BE IT RESOLVED, that Charles Iwanski, be and he hereby is appointed a Patrolman of the Town of Cheektowaga, New York, effective June 15, 1952, at an annual salary of \$3,100.00, payable in semi-monthly installments, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be mailed to the Personnel Office of the County of Erie by the Town Clerk.

Seconded by Councilman Nagel.

CARRIED: AYES: -5-.

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, Richard C. Szaj, of No. 52 Bright Street, Cheektowaga, New York, has successfully passed a competitive Civil Service Examination for Grade 2-A Operator, and has received a certificate, being No. 1143, from the State Health Department as being duly qualified as a Grade 2-A Operator,

BE IT RESOLVED, that the said Richard C. Szaj be appointed a Grade 2-A Operator at Disposal Plant No. 3, and that his annual salary be fixed at the sum of \$2,600.00, payable in semi-monthly installments.

Seconded by Councilman Nagel.

CARRIED: AYES: -5-.

This being the time and the place advertised for a public hearing on the proposed improvement of Sugnet Road, by the installation of a lateral sewer in said highwat, to wit:

The entire length of Sugnet Road, extending from Cleveland Drive, south, to Fontaine Drive.

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 improvement, the Supervisor ordered the hearing closed and decision was reserved.

This being the time and the place advertised for a public hearing on the proposed request of the Cheektowaga Police Department to adopt the Twenty-five Year Plan Retirement System.

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.

Mr. Edward Holloway, of Holloway and Company, Auditors for the Town, explained various phases of the proposed Pension Plan.

The following persons spoke in favor of the proposed Pension Plan; Harold Kuehlewind, president of the Cheektowaga Police Club;

Joseph Falter, representing the Pine Hill- Genesee Street Businessmen's Association;

Leo Redman, Groell Street.

The following named persons spoke on the plan, who claimed that they were neutral, but would like more information on the proposal;

Joseph Straubinger, president of the Cheektowaga Chamber of Commerce;

Lloyd Harrison, representing the Cleveland Hill Home Owners Association;

Robert Geary, representing the Town Park Home Owners Association;

The Supervisor advised the group that mimeograph copies of the plan will be available at the Town Clerk's Office on or about June 26, 1952,

and adjourned the hearing until June 30, 1952, at 7:30 o'clock P.M., E.D.S.T., of said day.

The Supervisor authorized and directed the Town Clerk to re-advertise for the adjourned public hearing as aforesaid.



## NOTICE OF HEARING

~~State of New York, Erie County, Town of Cheektowaga, New York, held at the~~  
Town Hall in said Town of Cheektowaga, on the 2nd day of June, 1952, at 2:30 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  
Stanley Bystrak, Councilman

ABSENT: None

Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, there has been presented to the Town Board a request to adopt the Twenty-Five Year Plan Retirement System for the Police Department of the Town of Cheektowaga, New York, by the terms of which plan the Town of Cheektowaga would be required to pay on account of any member of its Police Department who has duly elected or shall hereafter duly elect to contribute to the additional amount required for the purpose of retiring after twenty-five years of service, as provided by Subdivision I of Section 88 of the Civil Service Law, or any subsequent amendment thereto, the entire additional cost on account of the police service rendered by such officer or member of the Police Department prior to the date of the adoption of the resolution, and further agrees to pay  $\frac{1}{2}$  of the additional cost on account of police service rendered by such officer or member of the Police Department after the adoption of the resolution; and

WHEREAS, the adoption of such Retirement Plan requires a contribution by the Town of Cheektowaga, New York, of a large sum of money;

BE IT RESOLVED that the Town Board of the Town of Cheektowaga, Erie County, New York, meet at the Town Hall, corner Union Road and Broadway, in said Town on the 30th day of June, 1952, at 7:30 o'clock P.M., Eastern Daylight Saving Time, for the purpose of considering the advisability of adopting said Twenty-Five Year Plan Retirement System for the Police Department of the Town of Cheektowaga, New York, and the hearing of persons interested in the subject thereof concerning the same; and

BE IT FURTHER RESOLVED, 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, and the Depew Herald and Cheektowaga News, two newspapers published in the Town of Cheektowaga not less than ten (10) nor more than twenty (20) days prior to the date set for said public hearing, and that not less than ten (10) nor more than twenty (20) days prior to the date of said public hearing, the Town Clerk post conspicuously or cause to be posted conspicuously certified copies of this order in at least six (6) public places within the Town of Cheektowaga, New York.

Seconded by Councilman Neibert 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~~  
~~Aye 5 Nays 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 2nd day of June, 1952, 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 2nd day of June, 1952.

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

Posted as follows on the 20th day of June, 1952;

- 1- Town Hall Bulletin Board;
- 2- Forks Fire House, Broadway and Union Road;
- 3- U-Crest Fire House, Clover Place and Evergreen Place;
- 4- Rescue Fire House, Pine Ridge Road;
- 5- Doyle Fire House No. 2, William and Alaska Street;
- 6- Pine Hill Fire House, Genesee Street and Normandy Avenue;

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

LEGAL 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 2nd day of June, 1952, at 2:30 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  
Stanley Bystrak, Councilman

ABSENT: None  
Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, there has been presented to the Town Board a request to adopt the Twenty-Five Year Plan Retirement System for the Police Department of the Town of Cheektowaga, New York, by the terms of which plan the Town of Cheektowaga would be required to pay on account of any member of its Police Department who has duly elected or shall hereafter duly elect to contribute to the additional amount required for the purpose of retiring after twenty-five years of service, as provided by Subdivision I of Section 88 of the Civil Service Law, or any subsequent amendment thereto, the entire additional cost on account of the police service rendered by such officer or member of the Police Department prior to the date of the adoption of the resolution, and further agrees to pay 1/2 of the additional cost on account of police service rendered by such officer or member of the Police Department after the adoption of the resolution; and

WHEREAS, the adoption of such Retirement Plan requires a contribution by the Town of Cheektowaga, New York, of a large sum of money;

BE IT RESOLVED that the Town Board of the Town of Cheektowaga, Erie County, New York, meet at the Town Hall, corner Union Road and Broadway, in said Town on the 30th day of June, 1952, at 7:30 o'clock P.M., Eastern Daylight Saving Time, for the purpose of considering the advisability of adopting said Twenty-Five Year Plan Retirement System for the Police Department of the Town of Cheektowaga, New York, and the hearing of persons interested in the subject thereof concerning the same; and

BE IT FURTHER RESOLVED, 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, and the Depew Herald and Cheektowaga News, two newspapers published in the Town of Cheektowaga not less than ten (10) nor more than twenty (20) days prior to the date set for said public hearing, and that not less than ten (10) nor more than twenty (20) days prior to the date of said public hearing, the Town Clerk post conspicuously or cause to be posted conspicuously certified copies of this order in at least six (6) public places within the Town of Cheektowaga, New York.

Seconded by Councilman Neibert 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: 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 2nd day of June, 1952, 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 2nd day of June, 1952.

KENNETH T. HANLEY,  
Clerk of the Town Board,  
Town of Cheektowaga, N. Y.  
(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 <sup>one</sup> week; first publication JUN 19 1952 last publication JUN 19 1952 and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this JUN 20 1952 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

Councilman Nagel moved, seconded by Councilman Wroblewski, that all claims presented at this meeting for audit, be approved, and that the Town Clerk be authorized and directed to draw orders on the Supervisor for payment of same. ( Orders No. 1226 to No. 1279 inclusive, drawn on the Supervisor.

Councilman Wroblewski moved, seconded by Councilman Nagel, to adjourn.

*Kenneth T. Hanley*

Kenneth T. Hanley

Town Clerk.

SEAL

Cheektowaga, New York  
June 12th, 1952

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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 June, 1952, at 2:00 o'clock P.M., E.D.S.T., there were:

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

ABSENT: -0-

Also present was Town Clerk Kenneth T. Hanley.

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, Hatch and Mason have applied for a license to conduct a automobile tourist park or camp on property located in the rear of premises known as 4945 Genesee Street, and more particularly described in the application, and

WHEREAS, a plan drawn to scale showing the area to be used as such tourist park or camp having been filed with the application, and

WHEREAS, the Erie County Health Department has approved the application and certified that the same complies with the Sanitary Code and all other health regulations, be it

RESOLVED, that the Town Clerk be and he is hereby authorized to issue license for Twenty (20) units upon payment of the required license fee.

This license is granted subject to the approval of the Building and Plumbing Inspector, and the license is to expire January 1, 1953.

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

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

CARRIED: AYES: -3-

NAYES: -1-

PRESENT: -1-

The Town Clerk then proceeded to read the minutes of the previous meetings held on May 17, 1952, May 19, 1952 and June 2, 1952, at there being no alterations or corrections, same were ordered to be placed on file in the Town Clerk's Office.

Councilman Neibert moved, seconded by Councilman Wroblewski, to adjourn.

*Kenneth T. Hanley*

Kenneth T. Hanley

SEAL.

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 16th day of June, 1952, at 7:30 o'clock P.M., E.D.S.T., there were:

<b>PRESENT:</b> Benedict T. Holtz	Supervisor
Felix T. Wroblewski	Councilman
Joseph A. Neibert	Councilman
Stanley Bystrak	Councilman

<b>ABSENT:</b> Henry Nagel	Councilman
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Also present were: Town Clerk Hanley, Town Attorney Doyle, Recreation Director Janiak, Building Inspector Tadio, Chief of Police Marynowski, Town Historian Julia Reinstein, Justice of the Peace Pyszczyński and General Foreman Eberl.

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

Communication read from Harry J. Forehead, Chairman of the Erie County Republican Committee and William B. Mahoney, Chairman of the Erie County Democratic Committee, submitting names of Election Inspectors for the year 1952. On a motion of Councilman Wroblewski, seconded by Councilman Bystrak, the names were approved as submitted and ordered to be placed on file in the Town Clerk's Office.

Petition presented for the Extension of Sewer District No. 3. Ordered referred to the Assessors for a property check.

Petition presented for the installation of street lights on South Century Road, Y-20 standards with underground conduit, ordered referred to the Assessors for a property check.

Communication read from the Zoning Board of Appeals recommending that the application of Ralph Fudoli to rezone property on the north-west corner of Transit and Rein Road, from residence to business, be granted. Ordered referred to the Petitions Committee for further study.

Communication read from Justice of the Peace Pyszczyński, submitting to the Town Board his quarterly report of court cases handled by him for the months of February, March, April and May, 1952. Ordered received and filed.

Communication read from Thomas J. Hart, president of the Cheektowaga Council of Homeowners Association, informing the Board that the Association was not against the 25 year retirement plan for policemen, but were against the proposed plan whereby the Town would be required to make up the back payments. The Association also requested additional information regarding the relative costs of a 25-year plan and the present plan, exclusive of the cost of retroactive payments for the 25-year plan. Ordered received and filed.

Communication read from the State of New York Traffic Commission enclosing the Commission's Traffic Commission order covering the removal of an R-12 ( Leaving Populated Area ) sign from Broad Street at its intersection with Dick Road. Ordered received and filed.

Communication read from Howard A. Gerster, requesting that a NO STANDING ZONE be instituted on the north side of Cleveland Drive, between Ravenswood and Cresthaven Streets. Ordered referred to the Chief of Police.

This being the time and the place advertised for a public hearing for the purpose of considering the advisability of the Town Board's entering into a contract with the Bowmansville Volunteer Fire Association, Inc., a corporation organized under the Membership Corporation Law of the State of New York, having its office at Bowmansville, Town of Lancaster, New York, for the furnishing of fire protection to the Fire Protection District briefly described as follows:

thence west along the north line of the Village of Depew to the east line of the lands of the Lehigh Valley Railroad thence north along the East line of lands of the Lehigh Valley Railroad to the north line of lands of the West Shore Railroad, thence west along the north line of lands of the West Shore Railroad to the west line of lands of Albert J. Schulenberg, thence north along the west line of said lands of Albert J. Schulenberg to the center line of Genesee Street, thence east along the center line of Genesee Street to the center line of the Sugg Road, thence north along the center line of Sugg Road to the north line of the lands of the Lehigh Valley Railroad, thence west along the north line of the lands of the Lehigh Valley Railroad to the center line of Spies Road, thence north along the center line of Spies Road to the north line of the Town of Cheektowaga, thence east along the north line of the Town of Cheektowaga to the east line of the Town of Cheektowaga.

The Supervisor directed the Town Clerk to present proof of the 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.

The Chief of the Urban Hose Company was granted the floor and requested that the Town Board reserve decision for 30 days, in order that his company might submit a bid.

The Supervisor ordered the hearing closed and decision was reserved, until July 7, 1952, at which time the Supervisor stated that the contract would be awarded.

Councilman Wroblewski moved, seconded by Councilman Neibert, RESOLVED that the request of the Doyle Hose Company No. 2 to close Willowlawn Parkway on June 27, thru June 29, 1952, in connection with their annual Field Day, be granted.

CARRIED: AYES: -4-.

Councilman Wroblewski moved, seconded by Councilman Bystrak, RESOLVED that the Town Clerk be authorized and directed to issue Building Permits on all applications processed by the Petitions Committee on June 7th, 1952, June 9th, 1952 and June 12th, 1952, after same have been approved by the Building Inspector.

CARRIED: AYES: -4-.

Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS the Y-20 electric light pole in front of premises 138 Ellen Drive was destroyed by reason of being struck by an automobile or a truck and must be replaced; and

WHEREAS the person destroying said electric light pole is unknown and the Town is unable to be reimbursed for the cost of replacing said pole,

BE IT RESOLVED, that a new pole be purchased from the Westinghouse Electric Corporation and ordered installed, and the cost thereof be charged against the general fund.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -4-.

The following resolution was offered by Councilman Neibert who moved its adoption:

CAPITAL NOTE RESOLUTION DATED  
JUNE 16, 1952, AUTHORIZING THE  
ISSUANCE OF \$7,000.00 VOTING  
MACHINE CAPITAL NOTES FOR THE TOWN  
OF CHEEKTOWAGA, COUNTY OF ERIE, PURSUANT  
TO THE LOCAL FINANCE LAW

WHEREAS, the expense of acquiring the equipment hereinafter described is a Town charge and the amount thereof shall be assessed and levied upon the taxable property of the Town and collected in the same manner as other Town charges are assessed and levied and collected and the Town Board desires to issue capital notes to finance the cost of such acquisition and to annually assess upon the taxable property of the Town, an amount sufficient to pay the principal of and interest on the capital notes issued for such equipment as the same shall become due and payable, 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 capital notes in principal amount of \$7,000, pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose ( Hereinafter referred to as "purpose") to be financed to this resolution is the purchase of six automatic voting machines.

Section 3. It is hereby stated that:

a) The maximum cost of said purpose as estimated by the Town Board is \$7,000.00

b) The Town Board plans to finance the cost of said purpose entirely by funds raised by the issuance of said capital notes; and

c) No money has heretofore been authorized to be applied to the payment of the cost of said purpose; and

d) All of such cost is to be paid by assessments upon the taxable property of the Town and collected in the same manner as other Town charges are assessed, levied and collected.

Section 4. For the purpose of paying the cost of such purpose, there is hereby authorized to be issued pursuant to the Local Finance Law, \$7,000.00 capital notes of the Town of Cheektowaga to be designated substantially Automatic Voting Machine capital notes, Series A of 1952, which bear a date not earlier than June 16, 1952 to be fixed by the Supervisor in the denomination of \$3,500.00 each, numbered 1. and 2., maturing in numerical order in the amount of \$3,500.00 on April 1 in each of the years 1953 and 1954 and bearing interest at a rate not exceeding five per centum (5%) per annum, payable semi-annually on April 1 and October 1. Such notes shall be in bearer form with the privilege of conversion into capital notes registered as to both principal and interest and shall be payable as to both principal and interest in lawfully money of the United States of America, at the Manufacturers and Traders Trust Company in Buffalo, New York, which by contract is the paying agent of the issuer. Such capital notes shall be signed in the name of the Town of Cheektowaga by its Supervisor, and sealed with its corporate seal and attested by its Town Clerk.

Section 5. All other matters, except as provided herein, relating to such capital notes shall be determined by the Supervisor. Such capital notes shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals in addition to those required by Section 51.00 of the Local Finance Law as the Supervisor shall determine.

Section 6. The faith and credit of the Town of Cheektowaga are hereby irrevocably pledged to the payment of the principal of and interest on such capital notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such capital note becoming due and payable in such year. There shall annually be assessed upon the taxable property of the Town and collected in the same manner as other Town charges, are assessed, levied and collected, an amount sufficient to pay the principal of and interest on such capital notes as the same become due and payable.



Section 7. Such capital notes shall be sold at private sale by the Supervisor at a price of not less than par value of and accrued interest, if any, and the proceeds of such sale shall be applied solely for the purpose aforesaid, but the receipt of the Supervisor shall be a full acquittance to the purchaser of such capital notes who shall not be obliged to see to the application of the purchase money.

Section 8. It is hereby determined that said purpose is an object or purpose described in Subdivision 31 of Paragraph A. of Section 11.00 of the local Finance Law and that the period of probable usefulness of said purpose is five years.

Section 9. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of three years.

Section 10. The validity of said capital notes 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 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 11. 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 the said Local Finance Law, and such publication shall be in the Cheektowaga Times, a newspaper published and having a general circulation in said Town, and which newspaper is the official paper of this Town.

Section 12. This resolution shall take effect immediately upon its adoption.

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

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

CARRIED: AYES: -4-

NOES: -0-

ABSENT: -1-.

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

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

HARD 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 newspaper once a week for one week; to-wit: on the date of publication JUN 19 1952; and that no more than six days intervened between the date of publication and the date of the foregoing deposition.

Hard C. Allis

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

JUN 20 1952, 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

## LEGAL NOTICE

NOTICE IS HEREBY GIVEN that on the 16th day of June, 1952, the Town Board of the Town of Cheektowaga, Erie County, New York, adopted the following resolution:

**CAPITAL NOTE RESOLUTION DATED JUNE 16, 1952, AUTHORIZING THE ISSUANCE OF \$7,000.00 VOTING MACHINE CAPITAL NOTES FOR THE TOWN OF CHEEKTOWAGA, COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW.**

WHEREAS, the expense of acquiring the equipment hereinafter described is a Town charge and the amount thereof shall be assessed and levied upon the taxable property of the Town and collected in the same manner as other Town charges are assessed and levied and collected and the Town Board desires to issue capital notes to finance the cost of such acquisition and to annually assess upon the taxable property of the Town, an amount sufficient to pay the principal of and interest on the capital notes issued for such equipment as the same shall become due and payable, 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 capital notes in the principal amount of \$7,000, 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 purchase of six automatic voting machines.

Section 3—It is hereby stated that:

(a) The maximum cost of said purpose as estimated by the Town Board is \$7,000.00.

(b) The Town Board plans to finance the cost of said purpose entirely by funds raised by the issuance of said capital notes; and

(c) No money has heretofore been authorized to be applied to the payment of the cost of said purpose: and

(d) All of such cost is to be paid by assessments upon the taxable property of the Town and collected in the same manner as other Town charges are assessed, levied and collected.

Section 4—For the purpose of paying the cost of such purpose, there are hereby authorized to be issued pursuant to the Local Finance Law, \$7,000.00 capital notes of the Town of

Cheektowaga, to be designated substantially Automatic Voting Machine capital notes Series A of 1952, which bear a date not earlier than June 16, 1952 to be fixed by the Supervisor in the denomination of \$3,500.00 each, numbered 1. and 2., maturing in numerical order in the amount of \$3,500.00 on April 1 in each of the years 1953 and 1954 and bearing interest at a rate not exceeding five per centum (5%) per annum, payable semi-annually on April 1 and October 1. Such notes shall be in bearer form with the privilege of conversion into capital notes registered as to both principal and interest and shall be payable as to both principal and interest in lawful money of the United States of America, at the Manufacturers and Traders Trust Company in Buffalo, New York, which by contract is the paying agent of the issuer. Such capital notes shall be signed in the name of the Town of Cheektowaga by its Supervisor, and sealed with its corporate seal and attested by its Town Clerk.

Section 5—All other matters, except as provided herein, relating to such capital notes shall be determined by the Supervisor. Such capital notes shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals in addition to those required by Section 51.00 of the Local Finance Law as the Supervisor shall determine.

Section 6—The faith and credit of the Town of Cheektowaga are hereby irrevocably pledged to the payment of the principal of and interest on such capital notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such capital notes becoming due and payable in such year. There shall annually be assessed upon the taxable property of the Town and collected in the same manner as other Town charges are assessed, levied and collected, an amount sufficient to pay the principal of and interest on such capital notes as the same become due and payable.

Section 7—Such capital notes shall be sold at private sale by the Supervisor at a price of not less than par value of and accrued interest, if any, and the proceeds of such sale shall be applied solely for the purpose aforesaid, but the receipt of the Supervisor shall be a full acquittance to the purchaser of such capital notes who shall not be obliged

to see to the application of the purchase money.

Section 8—It is hereby determined that said purpose is an object or purpose described in Subdivision 31 of paragraph a. of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five years.

Section 9—It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of three years.

Section 10—The validity of said capital notes 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 11—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 the said Local Finance Law, and such publication shall be in the Cheektowaga Times, a newspaper published and having a general circulation in said Town, and which newspaper is the official paper of this Town.

Section 12—This resolution shall take effect immediately upon its adoption.

The capital note resolution published herewith has been adopted on the 16th day of June, 1952, and the validity of the obligations authorized by such capital note 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 of the  
Town of Cheektowaga,  
New York.

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 week; first publication JUN 19 1952; last publication JUN 19 1952; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....  
JUN 20 1952  
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

to be designated sub-  
Automatic Voting Machine  
Series A of 1952, which  
not earlier than June 16,  
fixed by the Supervisor  
ination of \$3,500.00 each,  
and 2, maturing in  
rder in the amount of  
April 1 in each of the  
and 1954 and bearing  
a rate not exceeding  
ntum (5%) per an-  
le semi-annually on  
October 1. Such notes  
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conversion into capital  
red as to both principal  
and shall be payable as  
principal and interest in  
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at the Manufacturers  
Trust Company in Buf-  
falo, which by contract  
g agent of the issuer.  
notes shall be signed  
of the Town of Cheek-  
Supervisor, and sealed  
with a corporate seal and attested  
Clerk.  
All other matters, ex-  
tended herein, relating to  
notes shall be deter-  
mined by the Super-  
visor. Such cap-  
ital contain substanti-  
al of validity clause  
in Section 52.00 of the  
Law, and shall other-  
wise conform and contain  
in addition to those  
in Section 51.00 of the Lo-  
cal Law as the Supervisor  
may determine.  
The faith and credit of  
Cheektowaga are here-  
by pledged to the pay-  
ment of principal and in-  
terest on the notes as the  
same become due and pay-  
able. The appropriation shall  
be sufficient to pay the in-  
terest on the notes becoming  
due and payable each year.  
There shall be assessed upon  
the tax-  
payers of the Town and col-  
lateral manner as other  
taxes are assessed, levied and  
collected, an amount suffi-  
cient to pay the principal of  
and interest on the notes as  
the same become payable.  
Such capital notes shall  
be sold by the Super-  
visor of not less than par  
value, and interest, if any,  
accrued on such sale shall  
be paid for the purpose  
of the receipt of the  
sale to be a full acquit-  
tance of such cap-  
ital shall not be obliged

to see to the application of the pur-  
chase money.  
Section 8—It is hereby determined  
that said purpose is an object or  
purpose described in Subdivision 31  
of paragraph a. of Section 11.00 of  
the Local Finance Law, and that  
the period of probable usefulness  
of said purpose is five years.  
Section 9—It is hereby determined  
that the proposed maturity of the  
obligations authorized by this res-  
olution will not be in excess of three  
years.  
Section 10—The validity of said  
capital notes may be contested only  
if such obligations are authorized  
for an object or purpose for which  
said Town is not authorized to ex-  
pend money or the provisions of  
law which should be complied with  
at the date of the publication of this  
resolution are not substantially com-  
plied 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 11—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 the  
said Local Finance Law, and such  
publication shall be in the Cheek-  
towaga Times, a newspaper published  
and having a general circulation in  
said Town, and which newspaper is  
the official paper of this Town.  
Section 12—This resolution shall  
take effect immediately upon its  
adoption.  
The capital note resolution pub-  
lished herewith has been adopted  
on the 16th day of June, 1952, and  
the validity of the obligations au-  
thorized by such capital note res-  
olution may be hereafter contested  
only if such obligations were au-  
thorized for an object or purpose  
for which the Town of Cheektowaga,  
in the County of Erie, is not au-  
thorized 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 con-  
testing such validity is commenced  
within twenty days after the date  
of publication of this notice or such  
obligations were authorized in vio-  
lation of the provisions of the Con-  
stitution of New York.

KENNETH T. HANLEY,  
Town Clerk of the  
Town of Cheektowaga,  
New York.

Councilman Wroblewski moved, seconded by Councilman Neibert, RESOLVED that the Supervisor be authorized to purchase from Automatic Voting Machine Company of Jamestown, New York, six (6) voting machines at a cost of \$1,130.00 each, total cost \$6,780.00. CARRIED: AYES: -4-.

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 Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon order of the Supervisor, such proof was duly filed.

#### PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
Westbrook Drive	Harlem Road	End of Street

#### TYPE OF STREET LIGHTING INSTALLATION

Y-20 Standards with underground conduit

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

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

WHEREAS, this Town Board has this day held a public hearing on the petition requesting the improvement of both sides of the public highways 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 HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
Westbrook Drive	Harlem Road	End of Street

#### TYPE OF STREET LIGHTING INSTALLATION

Y-20 Standards with underground 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 authorized and directed to have the installation of said street lighting equipment made by the utility company supplying electrical service to the locality in which the said public highways are located, under such contracts as may be required to effectuate such installation and as approved by said Town Attorney, and

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

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

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

CARRIED: AYES: -4-

NOES: -0-

ABSENT: -1-.

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 June, 1952, 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.

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 \_\_\_\_\_ day of \_\_\_\_\_, 1952.

IN WITNESS WHEREOF, I Have hereunto set my hand and the seal of said Town of Cheektowaga, this \_\_\_\_\_ day of \_\_\_\_\_, 1952.

Kenneth T. Hanley  
Town Clerk.

SEAL

Councilman Wroblewski moved, seconded by Councilman Neibert, WHEREAS, Anthony Scamurra has completed construction in highway on north side of Genesee Street, east of Donald Drive, 3404 and 3410 Genesee Street, Cheektowaga, New York, and has fully complied with the requirement of the Town,

BE IT RESOLVED, that the bonds of Anthony Scamurra executed by Continental Casualty Company be terminated and the said Anthony Scamurra and his surety be discharged from any further liability or accountability to the Town of Cheektowaga, New York. CARRIED: AYES: -4-.

Councilman Wroblewski moved, seconded by Councilman Bystrak, RESOLVED, that subdivision map of Queen Heights, prepared by Nussbaumer Clarke and Velzy, dated May 26, 1952, be approved and ordered filed in the Town Clerk's Office. The acceptance of this subdivision map is conditioned on the owner installing at his own expense necessary sewers and complying with Town Ordinances relating to construction of highways. CARRIED: AYES: -4-.

Councilman Wroblewski moved, seconded by Councilman Bystrak, RESOLVED that the subdivision map of Lots No. 1 thru 67, on the south side of Seton Road and No. 68 thru 70 on the east side of Danbury Drive, and tie-in with adjoining sub-divisions for Frank Babinski and Sons, Builders, as prepared by L. Bleich, dated November 15, 1951, be approved and ordered filed in the Town Clerk's Office. The acceptance of this sub-division map is conditioned on the owner installing at his own expense necessary sewers and complying with the Town Ordinances relating to construction of highways. CARRIED: AYES: -4-.

Councilman Neibert moved, seconded by Councilman Wroblewski, RESOLVED that the Supervisor be authorized to purchase from Stanley Walczak, 2415 William Street, One Reo 25" Power Lawn Mower with riding sulky at a cost of \$275.50 and Three 30" Gang Heavy Lawn Mowers to be attached to tractor at a cost of \$705.00, making a total of \$980.50. CARRIED: AYES: -4-.

Councilman Bystrak moved, seconded by Councilman Neibert, RESOLVED, that the Niagara Mohawk Power Company be authorized to install light on existing standard on Pole No. 19, on Rost Road, near Harlem Avenue. CARRIED: AYES: -4-.

In the Matter of  
the Extension of Sewer District  
No. 3 of the Town of Cheektowaga, in the County of Erie,  
New York.

WHEREAS, Thruway Super Plaza Inc. and other owners of taxable real property situated within the Town of Cheektowaga, in the County of Erie, have presented to the Town Board of said Town, at a meeting of said Town Board held on the 16th day of June, 1952, a petition requesting that Sewer District No. 3 of said Town be extended so that it shall include the territory in said Town bounded and described as follows:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York and being part of Lots 24 and 33, Township 11, Range 7 of the Buffalo Creek Indian Reservation and further bounded and described as follows:

BEGINNING at the point of intersection of the Center line of Broadway and the center line of Old Harlem Road; thence northerly and along the center line of Old Harlem Road a distance of 234 feet more or less, to a point, said point being a distance of 83 feet more or less from the north right of way line of the New York Central Railroad; thence westerly and at right angles to the center line of Old Harlem Road a distance of 283 feet; thence deflecting to the north, 19° 30' and measuring northwesterly a distance of 1648 feet more or less; thence northerly and nearly parallel to the center line of Old Harlem Road a distance of 390 feet to a point 141.15 feet southeasterly from and at right angles to the center line between Tracks 5 and 6 of the West Shore Railroad; thence northeasterly and parallel with the center line between Tracks 5 and 6 of the West Shore Railroad and 141.15 feet southeasterly therefrom and at right angles thereto a distance of 2200 feet to a point on the east line of Old Harlem Road; thence northeasterly a distance of 200 feet more or less to a point on the south line of Walden Avenue as established by the New York State Highway Department; thence deflecting to the south and along the said south line of Walden Avenue a distance of 449.06 feet; thence southeasterly and deflecting 2° 37' to the south and measuring along the south line of Walden Avenue a distance of 1280 feet more or less to the west line of premises conveyed by Sophie Blaszyk to Fred Ehrhardt by deed dated January 25, 1952 and recorded in the Erie County Clerk's Office; thence southeasterly and deflecting 2° 37' to the south and measuring along the south line of Walden Avenue a distance of 272.16 feet; thence at right angles with the said west line of Ehrhardt's property and along the south line thereof a distance of 252.35 feet; thence at right angles and northerly along the east line of said Ehrhardt's property a distance of 272 feet more or less to the south line of Walden Avenue; thence southeasterly along the south line of Walden Avenue a distance of 160 feet more or less to

Albert's Cemetery Association and said west line extended, a distance of 1586 feet more or less to the center line of Broadway; thence westerly along the center line of Broadway which is likewise the northerly boundary of present Sewer District No. 3 a distance of 2315 feet more or less to the point or place of beginning.

WHEREAS, said petition recites that the owners of a sewer system heretofore constructed in said territory are willing to convey such system, without consideration, to the Town for the use of such territory and request the Town Board to acquire such system for the use of such territory, and

WHEREAS, such sewer system, as shown by the map and plan attached to such petition, consists of sewer mains which are to be connected with the sewer collection system of the existing District, and

WHEREAS, such sewer system may be acquired at no cost to the Town, and no money is to be expended for the acquisition of such sewer system; NOW, THEREFORE,

BE IT ORDERED by the Town Board of the Town of Cheektowaga that said Town Board shall meet at the Town Hall corner Broadway and Union Road, Cheektowaga, New York on the 30th day of June, 1952 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.

FURTHER ORDERED that said Town Board shall at said time and place hear all evidence offered which will enable it to determine, pursuant to the provisions of Section 194 of the Town Law of New York, (a) whether the petition is signed and acknowledged or proved as required by law and is otherwise sufficient, (b) whether all the property and property owners within the proposed extension of said district are benefited thereby, (c) whether all the property and property owners benefited are included within the limits of the proposed extension of said district, and (d) whether it is in the public interest to grant in whole or in part the relief sought.

FURTHER ORDERED that the Town Clerk be and he hereby is directed to publish and post certified copies of this order, at the time and in the manner provided by law.

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

Benedict T. Holtz, voting "Aye"

John T. Tamm, voting "Aye"

James J. Tamm, voting "Aye"

John A. Tamm, voting "Aye"

The order was duly adopted.

STATE OF NEW YORK )  
TOWN OF CHEEKTOWAGA ) ss.

I, KENNETH T. HANLEY, Town Clerk of the Town hereinafter described, DO HEREBY CERTIFY as follows:

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on June 16, 1952, and minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of meetings of said board and such minutes appear at page 4-6 inclusive of said book.

2. I have compared the attached extract with said minutes so recorded and said extract is a true copy of said minutes and of the whole thereof insofar as said minutes relate to matters referred to in said extract.

3. Said minutes correctly state the time when said meeting was convened and the place where such meeting was held and the members of said board who attended said meeting.

IN WITNESS WHEREOF, I have signed my hand and have caused the corporate seal of said Town to be hereunto affixed on the 17th day of June, 1952.

KENNETH T. HANLEY,  
Town Clerk



5  
Posted as follows on the 19th day of June, 1952;

66

- 1- Telephone Pole No. 57, on Harlem Road;
- 2- Telephone Pole No. 20, on Harlem Road;
- 3- Telephone Pole No. 22, on Harlem Road;
- 4- Telephone Pole No. 19, on Harlem Road;
- 5- Telephone Pole No. 21, on Harlem Road;
- 6- Street Light Standard, southeast corner of Harlem Road and Walden Ave.

# STREET INDEX

1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	12th	13th	14th	15th	16th	17th	18th	19th	20th	21st	22nd	23rd	24th	25th	26th	27th	28th	29th	30th	31st	32nd	33rd	34th	35th	36th	37th	38th	39th	40th	41st	42nd	43rd	44th	45th	46th	47th	48th	49th	50th	51st	52nd	53rd	54th	55th	56th	57th	58th	59th	60th	61st	62nd	63rd	64th	65th	66th	67th	68th	69th	70th	71st	72nd	73rd	74th	75th	76th	77th	78th	79th	80th	81st	82nd	83rd	84th	85th	86th	87th	88th	89th	90th	91st	92nd	93rd	94th	95th	96th	97th	98th	99th	100th
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## Election Districts - Town of Cheektowaga

### STATISTICS

SUPERVISOR BENEDICT T. HOLTZ-1948-49  
TOWN INCORPORATED-MARCH 22, 1839  
AREA - ACRES 18,710 SQUARE MILES-29.23  
POPULATION-TOWN - 39,216  
VILLAGE OF SLOAN - 4,706  
TOWN PORTION-VILLAGE OF DEPEW - 1,451  
TOTAL-1950 CENSUS-45,373  
TOWN HALL-BROADWAY & UNION RDS.

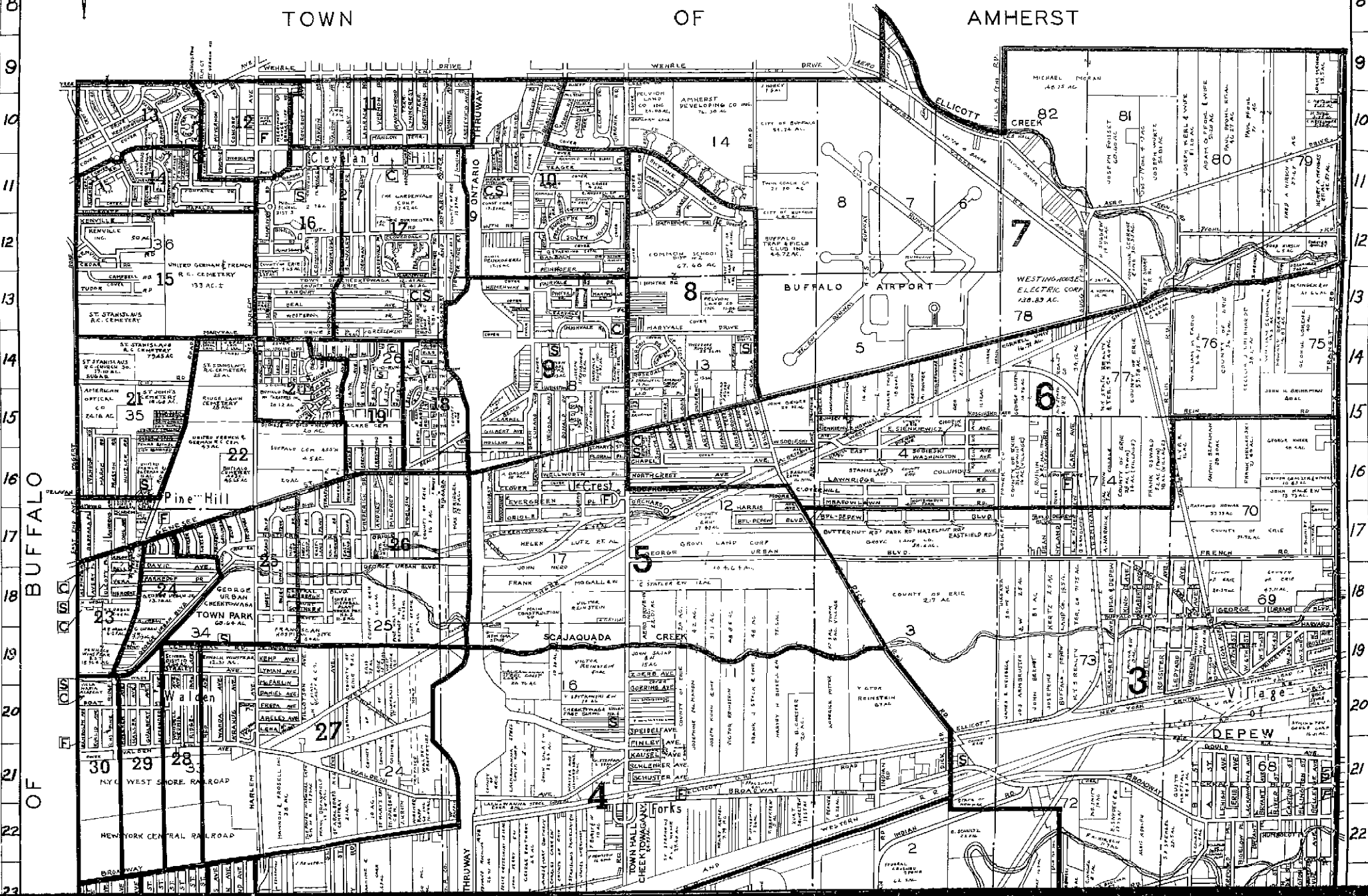
1951

### COUNCIL MEN

H.J. NAGEL  
F.T. WROBLEWSKI  
J.A. NEIBERT  
S.R. BYSTRAK

### LEGEND

TOWNSHIP & RANGE LINE -X-X-  
CITY & VILLAGE LINE - - - - -  
FARM & GREAT LOT LINE - - - - -  
PROPERTY LINE - - - - -  
STATE HIGHWAY - - - - -  
COUNTY HIGHWAY - - - - -  
TOWN HIGHWAY - - - - -  
STREAMS - - - - -







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 19 1952; last publication JUN 19 1952; and that no more than six days intervened between publications.

Willard C. Allis

sworn to before me this JUN 20 1952  
day of June, 1952

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, 19 53  
Registered No. 5029

**REZONING GRANTED**

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 June, 1952, at 7:30 o'clock P.M., E.D.S.T., of said day for the purpose of considering the application of Julian Lysiak 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 June, 1952, having rendered its decision granting the application of petitioner to rezone from residence district to business district the property hereinafter described, for the purpose of conducting a Drug Store, Wallpaper and Paint Store, and a Barber Shop, 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 16th day of June, 1952, 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,

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone said premises from Residence District 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."

**DESCRIPTION**

Lot No. 345, north east corner of Harlem Road and George Urban Boulevard, 120 feet on Harlem Road and 45 feet on George Urban Boulevard.

Dated: June 16, 1952.

KENNETH T. HANLEY,  
Town Clerk  
Town of Cheektowaga,



#### EXTRACTS FROM MINUTES OF TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner Broadway and Union Road, Cheektowaga, New York in said Town on the 16th day of June, 1952 at 7:30 o'clock p.m., Eastern Daylight Saving Time.

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

#### PRESENT:

Benedict T. Holtz, Supervisor  
Felix T. Wroblewski, Councilman  
Stanley Bystrak, Councilman  
Joseph A. Neibert, Councilman

#### ABSENT:

Henry Nagel, Councilman

The following order and resolution was offered by Mr. Wroblewski who moved its adoption, seconded by Mr. Neibert to wit:

In the Matter of the Extension of Sewer District No. 3 of the Town of Cheektowaga, in the County of Erie, New York.

WHEREAS, Thruway Super Plaza Inc. and other owners of taxable real property situated within the Town of Cheektowaga, in the County of Erie, have presented to the Town Board of said Town, at a meeting of said Town Board held on the 16th day of June, 1952, a petition requesting that Sewer District No. 3 of said Town be extended so that it shall include the territory in said Town bounded and described as follows:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York and being part of Lots 24 and 33, Township 11, Range 7 of the Buffalo Creek Indian Reservation and further bounded and described as follows:

BEGINNING at the point of intersection of the Center line of Broadway and the center line of Old Harlem Road; thence northerly and along the center line of Old Harlem Road a distance of 234 feet more or less, to a point, said point being a distance of 83 feet more or less from the north right of way line of the New York Central Railroad; thence westerly and at right angles to the center line of Old Harlem Road a distance of 263 feet; thence deflecting to the north, 19°30' and measuring northwesterly a distance of 1648 feet more or less, thence northerly and nearly parallel to the center line of Old Harlem Road a distance of 390 feet to point 141.15 feet southeasterly from and at right angles to the center line between Tracks 5 and 6 of the West Shore Railroad; thence northeasterly and parallel with the center line between Tracks 5 and 6 of the West Shore Railroad and 141.15 feet southeasterly therefrom and at right angles thereto a distance of 2200 feet to a point on the east line of Old Harlem Road; thence northeasterly a dis-

tance of 200 feet more or less to a point on the south line of Walden Avenue as established by the New York State Highway Department; thence deflecting to the south and along the said south line of Walden Avenue a distance of 449.06 feet; thence southeasterly and deflecting 2°37' to the south and measuring along the south line of Walden Avenue a distance of 1280 feet more or less to the west line of premises conveyed by Sophie Blaszyk to Fred Ehrhardt by deed dated January 25, 1942 and recorded in the Erie County Clerk's Office in Liber 3268 of Deeds at page 117; thence southwesterly and along the west line of said Ehrhardt's line a distance of 77.58 feet; thence southerly and along the west line of said Ehrhardt's line a distance of 272.76 feet; thence at right angles with the said west line of Ehrhardt's property and along the south line thereof a distance of 252.35 feet; thence at right angles and northerly along the east line of said Ehrhardt's property a distance of 272 feet more or less to the south line of Walden Avenue; thence southeasterly along the south line of Walden Avenue a distance of 160 feet more or less to the point of intersection of the west line of property conveyed to the St. Albert's Cemetery Association and the south line of Walden Avenue; thence southerly and along the west line of the property of the St. Albert's Cemetery Association and said west line extended, a distance of 1586 feet more or less to the center line of Broadway; thence westerly along the center line of Broadway which is likewise the northerly boundary of present Sewer District No. 3 a distance of 2315 feet more or less to the point or place of beginning, and

WHEREAS, said petition recites that the owners of a sewer system heretofore constructed in said territory are willing to convey such system, without consideration, to the Town for the use of such territory and request the Town Board to acquire such system for the use of such territory, and

WHEREAS, such sewer system, as shown by the map and plan attached to such petition, consists of sewer mains which are to be connected with the sewer collection system of the existing District, and

WHEREAS, such sewer system may be acquired at no cost to the Town, and no money is to be expended for the acquisition of such sewer system; NOW, THEREFORE,

BE IT ORDERED by the Town Board of the Town of Cheektowaga that said Town Board shall meet at the Town Hall, corner Broadway and Union Road, Cheektowaga, New York on the 30th day of June, 1952 at 7:30 o'clock p.m., Eastern Daylight Saving Time, to consider said petition and to hear all persons inter-

ested in the subject thereof concerning the same.

FURTHER ORDERED that said Town Board shall at said time and place hear all evidence offered which will enable it to determine, pursuant to the provisions of Section 194 of the Town Law of New York, (a) whether the petition is signed and acknowledged or proved as required by law and is otherwise sufficient, (b) whether all the property and property owners within the proposed extension of said district are benefitted thereby, (c) whether all the property and property owners benefitted are included within the limits of the proposed extension of said district, and (d) whether it is in the public interest to grant in whole or in part the relief sought.

FURTHER ORDERED that the Town Clerk be and he hereby is directed to publish and post certified copies of this order, at the time and in the manner provided by law.

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

Benedict T. Holtz, voting "Aye"  
Felix T. Wroblewski, voting "Aye"  
Stanley Bystrak, voting "Aye"  
Henry Nagel, absent.  
Joseph A. Neibert, voting "Aye"  
The order and resolution was duly adopted.

#### STATE OF NEW YORK TOWN OF CHEEKTOWAGA

: SS.  
I, KENNETH T. HANLEY, Town Clerk of the Town hereinafter described, DO HEREBY CERTIFY as follows:

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on June 16, 1952, and minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of meetings of said board and such minutes appear at page A-6 inclusive of said book.

2. I have compared the attached extract with said minutes so recorded and said extract is a true copy of said minutes and of the whole thereof insofar as said minutes relate to matters referred to in said extract.

3. Said minutes correctly state the time when said meeting was convened and the place where such meeting was held and the members of said board who attended said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 17th day of June, 1952.

KENNETH T. HANLEY  
Town Clerk



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

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s to be ex-  
ion of such  
HEREFORE,  
y the Town  
Cheektowaga  
hall meet at  
Broadway  
owaga, New  
June, 1952  
rn Dayligh  
r said peti-  
sons inter-

ested in the subject thereof con-  
cerning the same.

FURTHER ORDERED that said  
Town Board shall at said time and  
place hear all evidence offered  
which will enable it to determine,  
pursuant to the provisions of Sec-  
tion 194 of the Town Law of New  
York, (a) whether the petition is  
signed and acknowledged or proved  
as required by law and is otherwise  
sufficient, (b) whether all the prop-  
erty and property owners within the  
proposed extension of said district  
are benefitted thereby, (c) whether  
all the property and property owners  
benefitted are included within the  
limits of the proposed extension of  
said district, and (d) whether it is in  
the public interest to grant in whole  
or in part the relief sought.

FURTHER ORDERED that the  
Town Clerk be and he hereby is  
directed to publish and post certi-  
fied copies of this order, at the time  
and in the manner provided by law.

The question of the adoption of  
the foregoing order and resolution  
was duly put to a vote which re-  
sulted as follows:

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

Joseph A. Neibert, voting "Aye"  
The order and resolution was duly  
adopted.

STATE OF NEW YORK  
TOWN OF CHEEKTOWAGA

I, KENNETH T. HANLEY, Town  
Clerk of the Town hereinafter  
described, DO HEREBY CERTIFY  
as follows:

1. A regular meeting of the Town  
Board of the Town of Cheektowaga,  
a town located in the County of  
Erie, State of New York, was duly  
held on June 16, 1952, and minutes  
of said meeting have been duly  
recorded in the Minute Book kept  
by me in accordance with law for  
the purpose of recording the min-  
utes of meetings of said board and  
such minutes appear at page A-6  
inclusive of said book.

2. I have compared the attached  
extract with said minutes so record-  
ed and said extract is a true copy  
of said minutes and of the whole  
thereof insofar as said minutes re-  
late to matters referred to in said  
extract.

3. Said minutes correctly state  
the time when said meeting was  
convened and the place where such  
meeting was held and the members  
of said board who attended said  
meeting.

IN WITNESS WHEREOF, I have  
hereunto set my hand and have  
hereunto affixed the corporate seal  
of said Town, this 17th day of June,  
1952.

KENNETH T. HANLEY  
Town Clerk

ILLARD 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 one weeks;

JUN 19 1952

first publication

JUN 19 1952

last publication

and that no more than six days intervened be-  
tween publications.

*Willard C. Allis*

sworn to before me this

JUN 20 1952

day of

*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, 19 53  
Registered No. 5029

Posted June 26, 1952, on the Town Hall Bulletin Board;

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

#### REZONING GRANTED

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 June, 1952, at 7:30 o'clock P.M., E.D.S.T., of said day for the purpose of considering the application of Julian Lysiak 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 June, 1952, having rendered its decision granting the application of petitioner to rezone from residence district to business district the property hereinafter described, for the purpose of conducting a Drug Store, Wallpaper and Paint Store, and a Barber Shop; 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 16th day of June, 1952, 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,

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone said premises from Residence District 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."

#### DESCRIPTION

Lot No. 345, north east corner of Harlem Road and George Urban Boulevard, 120 feet on Harlem Road and 45 feet on George Urban Boulevard.

Dated: June 16, 1952.

KENNETH T. HANLEY,  
Town Clerk  
Town of Cheektowaga,

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 June 26, 1952: last publication same; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

day of ..... JUN 26 1952, 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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Councilman Wroblewski moved, seconded by Councilman Neibert, that all claims presented at this meeting for audit be approved, and that the Town Clerk be authorized and directed to draw orders on the Supervisor for payment of same. (Orders No. 1280 to No. 1396, inclusive, drawn on the Supervisor.)

Councilman Wroblewski moved, seconded by Councilman Neibert, to adjourn.

SEAL

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

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 30th day of June, 1952, at 7:30 o'clock 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

**ABSENT:** -0-.

Also present were: Town Clerk Hanley, Town Attorney Doyle and Chief of Police Marynowski.

Communication read from the Board of Fire Commissioners of Fire District No. 8, of the Town of Cheektowaga, New York, offering to protect the Fire Protection District located in the north-east section of the Town at the rate of One Dollar and Sixty Cents (\$1.60) per thousand dollar assessed valuation of said fire protection district per annum. Ordered referred to the Town Board by Supervisor Holtz.

This being the time and the place advertised for a public hearing for the Extension of Sewer District No. 3 in the Town of Cheektowaga, as hereinafter particularly described, to wit:

Beginning at the point of intersection of the center line of Broadway and the center line of Old Harlem Road; thence northerly and along the center line of Old Harlem Road a distance of 234 feet more or less, to a point, said point being a distance of 83 feet more or less from the north right of way line of the New York Central Railroad; thence westerly and at right angles to the center line of Old Harlem Road a distance of 283 feet; thence deflecting to the north, 19°30' and measuring northwesterly a distance of 1648 feet more or less; thence northerly and nearly parallel to the center line of Old Harlem Road a distance of 390 feet to point 141.15 feet southeasterly from and at right angles to the center line between Tracks 5 and 6 of the West Shore Railroad; thence northeasterly and parallel with the center line between Tracks 5 and 6 of the West Shore Railroad and at right angles thereto a distance of 200 feet to a point on the east line of Old Harlem Road; thence northeasterly a dis-

tance of 200 feet more or less to a point on the south line of Walden Avenue as established by the New York State Highway Department; thence deflecting to the south and along the said south line of Walden Avenue a distance of 449.06 feet; thence southeasterly and deflecting 2°37' to the south and measuring along the south line of Walden Avenue a distance of 1280 feet more or less to the west line of premises conveyed by Sophie Blaszyk to Fred Ehrhardt by deed dated January 25, 1942 and recorded in the Erie County Clerk's Office in Liber 3268 of Deeds at page 117; thence southwesterly and along the west line of said Ehrhardt's line a distance of 77.98 feet; thence southerly and along the west line of said Ehrhardt's line a distance of 272.76 feet; thence at right angles with the said west line of Ehrhardt's property and along the south line thereof a distance of 88.15 feet; thence at right angles and northerly along the east line of said Ehrhardt's property a distance of 272 feet more or less to the south line of Walden Avenue; thence southeasterly along the south line of Walden Avenue a distance of 160 feet more or less to the point of intersection of the west line of property conveyed to the St. Albert's Cemetery Association and the south line of Walden Avenue; thence southerly and along the west line of the property of the St. Albert's Cemetery Association and said west line extended, a distance of 1586 feet more or less to the center line of Broadway; thence westerly along the center line of Broadway which is the northerly boundary of present Sewer District No. 3 a distance of 200 feet more or less to the point or place 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.

Dr. Victor Reinstein was granted the floor and related to the Board that he would like to see the extension take in property between Broadway and the Lackawanna Railroad Tracks.

Thaddeus Kuegel of No. \_\_\_\_\_ was granted the floor and related to the Board that he would like to see the district extended to the south.

Supervisor Holtz advised Dr. Reinstein and Mr. Kuegel that he would refer the matter to the Town Engineer.

No person appeared in opposition to the proposed extension of Sewer District No. 3, the Supervisor ordered the hearing closed.

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

In the Matter of  
the extension of Sewer District No. 3  
of the Town of Cheektowaga, in the  
County of Erie, New York,

WHEREAS, Thruway Super Plaza, Inc., and other owners of taxable real property situated within the Town of Cheektowaga, in the County of Erie, have presented to the Town Board of said Town, at a meeting of said Town Board held on the 16th day of June, 1952, a petition requesting that Sewer District No. 3 of said Town be extended so that it shall include the territory in said Town bounded and described as follows:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York and being part of Lots 24 and 33, Township 11, Range 7, of the Buffalo Creek Indian Reservation and further bounded and described as follows:

BEGINNING at the point of intersection of the Center line of Broadway and the center line of Old Harlem Road; thence northerly and along the center line of Old Harlem Road a distance of 234 feet more or less, to a point, said point being a distance of 83 feet more or less from the north right of way line of the New York Central Railroad; thence westerly and at right angles to the center line of Old Harlem Road a distance of 283 feet; thence deflecting to the north,  $19^{\circ} 30'$  and measuring northwesterly a distance of 1648 feet more or less; thence northerly and nearly parallel to the center line of Old Harlem Road a distance of 390 feet to a point 141.15 feet southeasterly from and at right angles to the center line between Tracks 5 and 6 of the West Shore Railroad; thence northeasterly and parallel with the center line between Tracks 5 and 6 of the West Shore Railroad and 141.15 feet southeasterly therefrom and at right angles thereto a distance of 2200 feet to a point on the east line of Old Harlem Road; thence northeasterly a distance of 200 feet more or less to a point on the south line of Walden Avenue as established by the New York State Highway Department; thence deflecting to the south and along the said south line of Walden Avenue a distance of 449.06 feet; thence southeasterly and deflecting  $2^{\circ} 37'$  to the south and measuring along the south line of Walden Avenue a distance of 1280 feet more or less to the west line of premises conveyed by Sophie Blaszyk to Fred Ehrhardt by deed dated January 25, 1942 and recorded in the Erie County Clerk's Office in Liber 3268 of Deeds at Page 117; thence southwesterly and along the west line of said Ehrhardt's line a distance of 77.98 feet; thence southerly and along the west line of said Ehrhardt's line a distance of 272.76 feet; thence at right angles with the said west line of Ehrhardt's property and along the south line thereof a distance of 252.35 feet; thence at right angles and northerly along the east line of said Ehrhardt's property a distance of 272 feet more or less to the south line of Walden Avenue; thence southeasterly along the south line of Walden Avenue a distance of 160 feet more or less to the point of intersection of the west line of property conveyed to the St. Albert's Cemetery Association and the south line of Walden Avenue; thence southerly and along the west line of the property of the St. Albert's

Cemetery Association and said west line extended, a distance of 1586 feet more or less to the center line of Broadway; thence westerly along the center line of Broadway which is likewise the northerly boundary of present Sewer District No. 3 a distance of 2316 feet more or less to the point or place of beginning. 70  
and

WHEREAS, said petition recites that the owners of a sewer system heretofore constructed in said territory are willing to convey such system, without consideration, to the Town for use of such territory and request the Town Board to acquire such system for the use of such territory; and

WHEREAS, such sewer system, as shown by the map and plan attached to such petition, consists of sewer mains which are to be connected with the sewer collection system of the existing district; and

WHEREAS, such sewer system may be acquired at no cost to the Town, and no money is to be expended for the acquisition of such sewer system, and

WHEREAS, said Town Board duly adopted, on the 16th day of June, 1952, an order providing that said Town Board shall meet at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, on the 30th day of June, 1952, 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 certified copies of said order have been duly published and posted as prescribed by law, and said Town Board has, at the time and place specified in said order, duly met and considered said petition and heard all persons interested in the subject thereof, who appeared at such time and place, concerning the same; and

WHEREAS, the evidence offered at such time and place requires that the Town Board make the determinations hereinafter made; NOW, THEREFORE,

BE IT ORDERED by the Town Board of the Town of Cheektowaga, in the County of Erie, that it be and hereby is determined as follows, viz: (1) the assessed valuation of all the taxable real property in the proposed extension of said district hereinbefore described, as shown upon the latest completed assessment roll of said Town, is \$576,000.00; and the aggregate amount of the assessed valuation of such taxable real property which is now owned by owners who have signed said petition is \$546,300.00; and no persons reside within the proposed extension hereinbefore described; (2) said petition is signed and acknowledged or proved as required by law and is otherwise sufficient; (3) all property and property owners within said proposed extension of said district are benefitted thereby; (4) all property owners benefitted are included within the limits of said proposed extension district; and (5) it is in the public interest to grant in whole the relief sought in and by said petition.

FURTHER ORDERED, that the relief sought by said petition be and its hereby is granted and that said district be and it hereby is extended so as to include the territory in said Town hereinbefore described.

Further Ordered, that the Town Clerk be and he hereby is directed to cause to be recorded in the office of the Clerk of the County of Erie a certified copy of this order and to file a certified copy of this order in the office of the Department of Audit and Control of the State of New York.

The question of the adoption of the foregoing order and resolution was 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

The order and resolution was duly adopted. AYES: -5-.

Councilman Wroblewski moved, seconded by Councilman Neibert, RESOLVED, that the Niagara Mohawk Power Corporation be authorized and directed to place a shield on street light across the street from No. 274 Woodridge Avenue, in the Town of Cheektowaga, New York, in order that the light does not shine into the dwelling at the aforementioned address.

CARRIED: AYES: -5-.

## FUDOLI RE-ZONING GRANTED

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 June, 1952, at 7:30 o'clock P.M., E.D.S.T., of said day for the purpose of considering the application of Ralph, Michael J., Vincent S., and Geraldine Fudoll, 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 June 1952, having rendered its decision granting the application of petitioner to rezone from Residence District to Business District the property hereinafter described, for the purpose of conducting a Delicatessen & Fruit Store and a Restaurant, 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 16th day of June, 1952, 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,

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone said premises from Residence District 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".

### DESCRIPTION

ALL THAT CERTAIN TRACT OF LAND, situate in the Town of Cheektowaga, Erie County, New York, known as the John Brinkmann Farm, located on the West side of Transit Road, being part of said John Brinkmann Farm and being approximately 382 feet on Transit Road (running North from the intersection of the North line of Rhem Road and the West line of Transit Road, and being approximately 1700 feet deep, containing 15 acres of land, more or less.

The entire frontage on Transit Road, to a depth of 150 feet, to be rezoned.

Dated: June 30, 1952.

KENNETH T. HANLEY,

Town Clerk  
Cheektowaga, New York.

jy3



Posted on the Town Hall Bulletin Board on July 11, 1952;

Hereto attached is a copy of notice published in the Depew Herald & Cheektowaga News;

STATE OF NEW YORK  
COUNTY OF ERIE

**LEGAL NOTICE**  
**Resolving Granted**

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 June, 1952, at 7:30 o'clock P.M., E.D.S.T., of said day for the purpose of considering the application of Ralph, Michael J., Vincent S., and Geraldine Fudoll, 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 June 1952, having rendered its decision granting the application of petitioner to rezone from Residence District to Business District the property hereinafter described, for the purpose of conducting a Delicatessen & Fruit Store and a Restaurant, 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 16th day of June, 1952, 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,

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone said premises from Residence District 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".

**DESCRIPTION**

ALL THAT CERTAIN TRACT OF LAND, situate in the Town of Cheektowaga, Erie County, New York, known as the John Brinkmann Farm, located on the West side of Transit Road, being part of said John Brinkmann Farm and being approximately 382 feet on Transit Road (running North from the intersection of the North line of Rhem Road and the West line of Transit Road, and being approximately 1700 feet deep, containing 15 acres of land, more or less.

The entire frontage on Transit Road, to a depth of 150 feet, to be rezoned.

Dated: June 30, 1952.

KENNETH T. HANLEY,  
Town Clerk

by3 Cheektowaga, New York.

RICHARD G. BENNETT

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

..... week, the first insertion being on the

3rd day of July, 1952, and

the last insertion being on the ..... day of

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

more than six days intervened between any two publi-

cations thereof.

*Richard G. Bennett*

..... day of

52  
....., 19.....

*Krieger*

Notary Public in and for Erie County.

ANTHONY J. KRIEGER  
Notary Public in and for Erie County, New York  
My Commission Expires Mar. 30, 1954  
Reg. No. 2706

Councilman Wroblewski presented the following resolution and moved its adoption;

WHEREAS, this Town Board on the 4th day of September, 1951, held a public hearing on the improvement of both sides of Feinkofer Drive, from Beach Road easterly to Northvale Drive on the south side of Feinkofer and Lot No. 106 on the north side of Feinkofer, excepting 207.43 feet on the north side of Feinkofer Drive belonging to Otto Gangloff, by the construction of concrete sidewalks, four (4) feet in width; and

WHEREAS, the time and place of holding of said public hearing on the proposed improvement of said Feinkofer Drive was duly advertised and posted as required by law, and the Town Clerk having duly presented proof that such notice of public hearing has been duly published and posted, and proof has been duly filed in the Town Clerk's Office; and

WHEREAS, at such public hearing all persons interested in the subject matter thereof were given an opportunity to be heard,

NOW, THEREFORE, BE IT RESOLVED, that this Town Board does hereby decide, after such public hearing and upon the evidence given thereat, that it is in the public interest to improve Feinkofer Drive by the construction of the improvement hereinbefore 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 Neibert.

CARRIED: AYES: -5-.

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, the Cheektowaga Town Hall located at Broadway and Union Road, Cheektowaga, New York, needs some repairs and remodeling; and

WHEREAS, the exterior and interior of the building require washing and painting and masonry repairs; and

WHEREAS, the roof on the Town Hall needs extensive repairs and replacements; and

WHEREAS, the boilers require replacement and repairs and additions made to the heating system; and

WHEREAS, partitions are needed to convert Room 28 into offices; and

WHEREAS, this Town Board authorized Albert J. Kam, Town Engineer, to prepare specifications and contract documents for the renovation of the Cheektowaga Town Hall, a copy of which are attached to this resolution,

BE IT RESOLVED, that it is in the public interest to make the repairs and replacements to the Town Hall as hereinbefore mentioned and as the same are more specifically set forth in the specifications; and

BE IT FURTHER RESOLVED, that the maximum cost of making said repairs and replacements be determined the sum of Thirty-five thousand dollars (\$35,000.00); and

BE IT FURTHER RESOLVED, that this Town Board has hereby authorized the making of such improvements, and that the cost thereof be paid from the proceeds of a bond issue; and

BE IT FURTHER RESOLVED, that the Town Engineer and the Town Attorney be authorized and directed to prepare the necessary information for bidders and contract documents and that the said work be done after competitive bidding in accordance with law.

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
Joseph A. Neibert	Voting AYE
Stanley Bystrak	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -0-.

**SPECIFICATIONS AND CONTRACT DOCUMENTS**  
**FOR THE**  
**RENOVATION OF THE CHEEKTOWAGA TOWN HALL**  
**LOCATED AT**  
**BROADWAY AND UNION ROAD**  
**TOWN OF CHEEKTOWAGA, NEW YORK**

**JUNE 1952**

**TOWN BOARD**

**Benedict T. Holts, Supervisor**

**Councilmen**

**Stanley R. Bystrak**  
**Joseph A. Naibert**

**Henry J. Nagel**  
**Felix T. Wroblewski**

**George B. Doyle,**  
**Town Attorney**

**Albert J. Kamm,**  
**Town Engineer**

**Kenneth T. Hanley, Town Clerk**

### SPECIFICATIONS

**FOR:** The Renovation of the Cheektowaga Town Hall, located at Broadway and Union Road, Town of Cheektowaga, New York.

**Item 1:**

**EXTERIOR WASHING:** Furnish all labor, material and equipment to wash down all exterior brick and stonework on the entire exterior of the building with a chemical cleaner especially prepared for this purpose. This cleaner is to restore the masonry to as near its original appearance as possible.

**Item 2:**

**EXTERIOR PAINTING** Thoroughly clean all exterior window frames and sash, doors and door frames, to remove all dirt, grime, deteriorated paint and other incidentals. Paint same with two coats of the best grade lead and oil paint. Color to be specified by the Town Engineer.

All deteriorated putty is to be removed and replaced with 25% white lead putty. This new putty is to be applied between the first and second coat of paint. All previously varnished surfaces are to be touched up and revarnished with exterior spar varnish.

Caulking compound is to be applied to all window and door frames between the wood members and the masonry using a high pressure caulking gun especially designed for this purpose. All original openings are to be packed with jute or oakum. Exterior caulking compound is to be good grade Tremco or its equal. All new putty is to be cut clean to the glass. Stone sills are to be protected from paint stains.

**Item 3:**

**MASONRY REPAIRS:** Thoroughly inspect all exterior masonry walls, etc. and remove to a depth of 1" all putty, all cracked and deteriorated mortar joints, thoroughly raking out same and replacing joints with a mortar of three parts of clean, sharp sand and one part Portland cement. All new mortar is to be colored to match the existing mortar after cleaning.

All bed and ledge joints are to be cleaned, raked, primed, and caulked with elastic caulking compound. Main entrance stairway and abutments are to be inspected and defective joints removed and sections of same to be realigned where this is found to be necessary.

Pigeonproofing of the building is included in these masonry repairs.

All exterior masonry is to be given two coats of transparent waterproofing material upon the completion of the masonry repairs and cleaning. Waterproofing material is to be Truscon's SUPER-POW-SEAL or its equal.

**Item 4:**

**ROOF REPAIRS:** Break open all blisters and buckles and mop over same with hot pitch. Then lay four plies 15# tar felt into four heavy solid moppings of hot pitch and then embed gravel into a heavy flooding of hot pitch.

Furnish and put in place at all walls three course plastic and asbestos felt flashing beginning at a point several inches out on the new roofing and extending full height and over top of walls where stone coping occurs. Where metal coping exists, flash to underside of coping. At vents, chimney and pent-house this flashing shall be approximately 18" girth. Proper attention is to be given to the roof drains.

Item 5:REPLACEMENT OF BOILERS and addition to Heating System.

Furnish all labor, material and equipment necessary to remove and replace the existing boilers in accordance with the following specifications:

BOILERS: Two new Pacific Steel, split fire box, steam boilers, Model No. 3381, or equal, with steam capacity of 4250 sq. ft. installed steam radiation.

BOILER INSULATION: Boilers shall be insulated with 2 inch magnesium blocks and finished with an asbestos coating.

BURNERS: Two York industrial type oil burners, or equal, with maximum capacity of 20 gallons per hour.

BURNER CONTROLS: The boiler burner controls shall consist of the necessary controls for safe burner operation and boiler protection including the following controls: Electronic flame sighting oil burner relay; high limit pressure stat; low-water cut-off and boiler water feeder.

TEMPERATURE CONTROLS: Minneapolis-Honeywell Weatherstat Indoor-out-door type temperature control, or equal.

FUEL OIL TANK: 6,000 gallon capacity fuel oil tank to be buried on and anchored to suitable concrete foundations in the ground at the southeast corner of the Town Hall. All necessary piping to be used for filling tank and for conducting oil from fuel tank to burners.

OLD BOILERS: The old boilers shall be cut up for scrap and removed from the building by the heating contractor.

Furnish all labor, material and equipment necessary to install a radiator under the window in the new Secretarial office to be partitioned off in Room 28 under Item 6.

The heating surface of this radiator shall be not less than 41 sq. ft.

Item 6.

PARTITIONING OF ROOM 28. Furnish all labor, material and equipment necessary to construct the partitions in Room 28 as shown on Drawing No. 1 dated March 5, 1952 entitled "Proposed Office Changes".

PARTITION MATERIAL: 4" Gypsum partition tile, Pyrobar, or equal, plastered on both sides to match existing plaster. Baseboard to match existing cast baseboard.

CHAIR RAIL: Wood to match existing chair rail as close as possible.

DOORS AND DOOR FRAMES: Doors shall be 1-3/4" thick. Door frames shall be flush to match existing material and construction as close as possible.

Item 7.

INTERIOR PAINTING. Thoroughly inspect the interior walls and ceilings of the entire interior of the building with the exception of the rest rooms, civilian defense quarters and any other exception that may be designated by the Town Engineer. All walls and ceilings are to be thoroughly cleaned and are to receive two coats of the best grade interior oil paint. The first coat is to be pigmented primer and sealer. The second coat is to be interior flat paint unless otherwise specified. Color is to be designated by the Town Engineer. All cracked and deteriorated plaster is to be thoroughly raked out and repaired. All previously varnished surfaces including all window frames and sash, doors and door frames are to be washed, touched up where necessary and receive one coat of Spar varnish. Previously enamelled doors and door frames, windows and window frames are to be touched up and receive one coat of interior enamel. cleaning and painting of all radiators are to be included. They are to be painted the background color of the walls.

Police Department and cell blocks, including cells and bars are to be painted as specified by the Chief of Police.

All paint used in this work is to be the best grade obtainable, equal to Keystone or Pratt & Lamberg.

Sufficient drop cloths are to be used to insure the protection of all floors and fixtures. No fixtures, furniture or cabinets are included in these specifications.

This item also includes the painting of the new partitions and doorways in Room 28 to be constructed under Item 6.

### INFORMATION FOR BIDDERS

1. Contract Documents.

The "Notice to Contractors", the "Information for Bidders", the "Form of Proposal", the "General Conditions", the "Specifications" and the "Contract Drawings" are the Contract Documents that will form the Contract. Bidders must examine each of the Contract Documents, must visit the location of the work and inform themselves of the conditions and make their own estimates of the facilities and difficulties attending the execution of the work.

2. Date and Place for Opening Proposals.

The Town of Cheektowaga, Erie County, New York, herein called the "Owner", invited bids on the forms attached hereto, all blanks on which must be appropriately filled in. Bids for performing the work shall be received by the Owner at the Cheektowaga Town Hall, Broadway and Union Road, Buffalo 25, New York, until \_\_\_\_\_ P.M. Daylight Saving Time, on \_\_\_\_\_ 1952, at which time they will be opened and read aloud. The envelopes containing the bids must be sealed, addressed to the Town Board, Town of Cheektowaga, Town Hall, Broadway and Union Road, Buffalo 25, New York, and be designated as "Bid for the Renovation of the Cheektowaga Town Hall, Town of Cheektowaga, New York."

The Owner may consider informal any bid not prepared and submitted in accordance with the provisions hereof and may waive any informalities in, or reject any and all bids. Any bid may be withdrawn prior to the above scheduled time for the opening of bids or authorized postponement thereof. Any bid received after the time and date specified shall not be considered. No bidder may withdraw a bid within thirty (30) days after the actual date of the opening thereof.

3. Preparation of Proposal.

All Proposals must be made upon the blank form of Proposal attached hereto. All blank spaces for bid prices must be filled in, in ink, in both words and figures, with the lump sum for which the proposal is made. If the Bidder does not wish to bid on a certain item, the words "No Bid" must be inserted in the blank space for that item.

All bids must be submitted in sealed envelopes bearing on the outside the name of the bidder, his address and the name of the project for which the bid is submitted. (If forwarded by mail, the sealed envelope containing the proposal, and marked as directed above, must be enclosed in another envelope addressed as specified in the Form of Proposal, preferably by Registered Mail).

4. Separate Bids.

Contractors bidding may submit a bid for any or all items.

5. Omissions, Discrepancies and Interpretations.

Should a bidder find discrepancies in, or omissions from, the Drawings or Contract Documents, or should he be in doubt as to their meaning, he should at once notify the Engineer, in writing, who may send a written instruction to all bidders. No interpretation of the meaning of the specifications, plans or other contract documents will be made to any bidder orally. Every notice of discrepancy or omission, or request for interpretation should be addressed to Albert J. Kamm, Town Engineer, Cheektowaga Town Hall, Broadway and Union Road, Buffalo 25, New York and to be given consideration



INFORMATION FOR BIDDERS

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## 5- Cont'd.

must be received at least five (5) days prior to the date fixed for the opening of bids. Any and all such interpretations and any supplemental information and/or instructions will be in the form of written addenda to the specifications, which if issued, will be mailed by Registered Mail with return receipt requested to all prospective bidders (at the respective addresses furnished for such purposes) not later than three (3) days prior to the date fixed for the opening of bids. Failure of any bidder to receive any such addendum or interpretation shall not relieve any bidder from any obligation under his bid submitted. All addenda so issued shall become part of the Contract Documents.

6. QUALIFICATIONS of BIDDER

The Owner may make such investigations as he deems necessary to determine the ability of the bidder to perform the work, and the bidder shall furnish to the Owner all such information and data for this purpose as the Owner may request. The Owner reserves the right to reject any bid if the evidence submitted by, or investigation of, such bidder fails to satisfy the Owner that such bidder is properly qualified to carry out the obligations of the Contract and to complete the work contemplated therein. Conditional bids will not be accepted.

7. Bid Security.

Each bid must be accompanied by cash, by the certified check of the bidder payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga, or by a bid bond prepared on the Form of Bid Bond attached hereto, duly executed by the bidder as Principal, and having as surety thereon a surety company approved by the Owner, in the amount of ten (10) per cent of the bidder's total bid. Such cash, checks, or bid bonds, will be returned to all except the three lowest formal bidders within five (5) days after the formal opening of bids, and the remaining cash, checks, or bid bonds, will be returned to the three lowest bidders within forty-eight (48) hours after the Owner and the accepted bidder have executed the contract, or if no contract has been so executed, within forty-five (45) days after the date of the opening of bids, upon demand of the bidder at any time thereafter so long as he has not been notified of the acceptance of his bid.

8. Liquidated Damages for Failure to Enter into Contract.

The successful bidder, upon his failure or refusal to execute and deliver the contract and bond required within five (5) days after he has received notice of the acceptance of his bid, shall forfeit to the Owner, as liquidated damages for such failure or refusal, the security deposited with his bid.

9. Conditions of Work.

Each bidder must inform himself fully of the conditions relating to the construction and labor under which the work is now being or will be performed. Failure to do so will not relieve a successful bidder of his obligation to furnish all material and labor necessary to carry out the provisions set forth in his bid. Insofar as possible, the Contractor in the carrying out of his work, must employ such methods or means as will not cause any interruption of or interference with the work of any other contractor.

10. Construction Terms and Conditions.

The bidder is warned that the Construction Terms and Condition hereinafter fully set forth in the Form of Contract will be rigidly enforced.

INFORMATION FOR BIDDERS

3.

8. Liquidated Damages for Failure to Enter into Contract.

The successful bidder, upon his failure or refusal to execute and deliver the contract and bond required within five (5) days after he has received notice of the acceptance of his bid, shall forfeit to the Owner, as liquidated damages for such failure or refusal, the security deposited with his bid.

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10. Construction Terms and Conditions.

The bidder is warned that the Construction Terms and Conditions hereinafter fully set forth in the Form of Contract will be rigidly enforced.

11. Security for Faithful Performance.

Simultaneously with his delivery of the executed contract, the Contractor shall furnish a surety bond in an amount at least equal to 100 per cent of the contract price, as security for faithful performance of this contract and for payment of all persons performing labor on the project under this contract and furnishing materials in connection with this contract. The surety on such bond shall be a duly authorized surety company satisfactory to the Owner.

12. Power of Attorney

Attorneys-in-fact who sign bid bonds or contract bonds must file with each bond a certified copy of their power of attorney to sign said bonds.

13. State Laws and Regulations.

The bidder's attention is directed to the fact that all applicable State and Municipal Laws, and rules and regulations of all authorities having jurisdiction over construction work in the locality of the project, shall apply to the contract throughout, and they are deemed to be included herein the same as though written out in full.

14. Time of Completion and Liquidated Damages.

The attention of the Bidder is called to the paragraph entitled "Time of Completion - Liquidated Damages" of the Form of Contract, bound with and forming part of the Contract Documents.

15. Lowest Qualified Bidder

Bids will be compared on the basis of the lowest amount for any item or lowest total amount of all items, including all items for which an award is made, by qualified bidders.

INFORMATION FOR BIDDERS

4.

16. Obligation of Bidder.

At the time of the opening of the bids, each bidder will be presumed to have inspected the site of the proposed work, the existing structures to be remodelled, and to have read and to be thoroughly familiar with the Plans and Contract Documents (including all addenda). The failure or omission of any bidder to receive or examine any form, instrument or document, shall in no way relieve any bidder from any obligation in respect to his bid.

FORM OF PROPOSAL

FOR: The Renovation of the Cheektowaga Town Hall, located at Broadway and Union Road, in the Town of Cheektowaga, N.Y.

TO: Town Board of the Town of Cheektowaga, Erie County, N.Y.

Pursuant to, and in accordance with, your advertisement for bids, and the Information for Bidders relating thereto, the undersigned hereby offers to furnish all things necessary or proper for, or incidental to the renovation of the Cheektowaga Town Hall as required by and in strict accordance with specifications and plans therefor, and all addenda issued by the Owner, and mailed to the undersigned prior to the date of the opening of bids, whether received by the undersigned or not, for the following prices:

BID ITEM NO.1:

Exterior washing:

\_\_\_\_\_ Dollars \$ \_\_\_\_\_

BID ITEM NO.2:

Exterior painting:

\_\_\_\_\_ Dollars \$ \_\_\_\_\_

BID ITEM NO.3:

Masonry repairs:

\_\_\_\_\_ Dollars \$ \_\_\_\_\_

BID ITEM No.4:

Roof repairs :

\_\_\_\_\_ Dollars \$ \_\_\_\_\_

BID ITEM No.5:

Replacement of Boilers:

\_\_\_\_\_ Dollars \$ \_\_\_\_\_

BID ITEM No.6:

Partitioning of Room 28 (Plan No. )

\_\_\_\_\_ Dollars \$ \_\_\_\_\_

BID ITEM NO.7:

Interior painting:

\_\_\_\_\_ Dollars \$ \_\_\_\_\_

The undersigned further agrees to start work at the site within ten (10) days from the signing of the contract, and will complete the same within sixty (60) calendar days thereafter.

-2-

As a delay beyond said date is detrimental to the Town of Cheektowaga, New York, and of undetermined value, the undersigned agrees to pay to the Town of Cheektowaga as liquidated damages, the sum of \$25.00 per day for each day he is delinquent.

If written notice of the acceptance of this bid is mailed, telegraphed, or delivered to the undersigned within thirty (30) days after the date of opening of the bids, or anytime thereafter before this bid is withdrawn, the undersigned will, within eight (8) days after the date of such mailing, telegraphing or delivering such notice, execute and deliver a contract in the form of the contract attached to the Information for Bidders.

The undersigned hereby designates as his office to which such notice of acceptance may be mailed, telegraphed or delivered..

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

The undersigned further agrees to comply with the requirements as to the conditions of employment, wage rates and hours of labor set forth in the Form of the Contract.

This bid may be withdrawn at any time prior to the scheduled time for the opening of bids or any authorized postponement thereof.

Dated: \_\_\_\_\_ \*

By: \_\_\_\_\_

ADDRESS \_\_\_\_\_

\*Insert Bidder's name

The following resolution was offered by Mr. Neibert who moved its adoption, and seconded by Mr. Wroblewski, to wit:

**BOND RESOLUTION, DATED June 30, 1952, AUTHORIZING THE ISSUANCE OF \$33,250.00 SERIAL BONDS AND \$1,750.00 CAPITAL NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE RECONSTRUCTION OF THE TOWN HALL.**

**BE IT RESOLVED**, by the Town Board of the Town of Cheektowaga, in the County of Erie, as follows:

**Section 1.** The Town of Cheektowaga, in the County of Erie, shall issue its Serial Bonds of the aggregate principal amount of \$33,250 and its capital notes of the aggregate principal amount of \$1,750, pursuant to the Local Finance Law of New York, in order to finance the specific object or purpose hereinafter described.

**Section 2.** The specific object or purpose (hereinafter referred to as "purpose") to be financed by the issuance of said bonds is the reconstruction of the building used by the Town as a Town Hall, said building being a Class "A" ( Fireproof) building as defined in Section 11.00 of the Local Finance Law of New York.

**Section 3.** It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board, is \$35,000.00 and (b) current funds amounting to \$1,750.00 will be provided for the financing of such purpose, prior to the issuance of said bonds, by the issuance of the Capital Notes authorized by this resolution, and (c) no money has heretofore been authorized to be applied to the payment of the cost of said purpose and the Town Board plans to finance said purpose entirely from funds raised by the issuance of said Serial Bonds and from such current funds.

**Section 4.** It is hereby determined that the purpose is one of the class of objects or purposes described in Subdivision 12 (a) (1) of Paragraph a of Section 11.00 of the Local Finance Law and that the period of probable usefulness thereof is twenty years.

**Section 5.** It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

**Section 6.** The Validity of said Serial Bonds or said Capital Notes 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 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 7.** 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 the Local Finance Law, and such publication shall be in the Cheektowaga Times, a newspaper published and having a general circulation in said Town.

**Section 8.** This resolution is subject to a permissive referendum and shall take effect at the time and in the manner prescribed by Section 91 of the Town Law.

The question of the adoption of the foregoing resolution was 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

The resolution was duly adopted. AYES : -5-.





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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 JUL 10 1952; last publication JUL 10 1952; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this 15th day of July, 1952

*Eugene J. Allis*

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

*My commission expires March 30, 1953*

**PUBLIC NOTICE**

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, in the County of Erie, in the State of New York, has, on the 30th day of June, 1962, adopted pursuant to the Local Finance Law of New York, a bond resolution which

(1) authorizes the issuance of \$33,250 Serial Bonds and \$1,750 Capital Notes to finance the specific object or purpose of reconstructing the building used by the Town as a Town Hall, such building being a Class "A" (fireproof) building as defined in Section 11.00 of the Local Finance Law of New York, and

(2) states the estimated cost of such purpose to be \$33,250, and determines that current funds amount to \$1,750 will be provided for the financing of such purpose by the issuance of such Capital Notes, and

(3) determines the period of probable usefulness of such purpose to be twenty years, and

(4) determines that the maturity of said bonds will be in excess of five years, and

(5) states that the validity of said Serial Bonds and Capital Notes 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 such 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.

Said resolution was adopted subject to a permissive referendum under the provisions of Article 7 of the Town Law of New York, and petitions, protesting against such resolution and requesting that it be submitted to the qualified electors of the Town of Cheektowaga for their approval or disapproval, may be filed with the Town Clerk at any time within thirty days after the date of the adoption of said resolution.

By order of the Town Board of the Town of Cheektowaga.  
Dated, June 30, 1962.

KENNETH T. HANLEY,  
Town Clerk of the Town of  
Cheektowaga, New York.

Posted as follows on the 10th day of July, 1952;

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

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

*Min Book*

#### PUBLIC NOTICE

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(2) states the estimated cost of such purpose to be \$33,250, and determines that current funds amount to \$1,750 will be provided for the financing of such purpose by the issuance of such Capital Notes, and

(3) determines the period of probable usefulness of such purpose to be twenty years, and

(4) determines that the maturity of said bonds will be in excess of five years, and

(5) states that the validity of said Serial Bonds and Capital Notes 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 such 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.

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By order of the Town Board of the Town of Cheektowaga.  
Dated, June 30, 1952.

KENNETH T. HANLEY,  
Town Clerk of the Town of Cheektowaga, New York.

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~~ *one* week;  
first publication JUL 10 1952  
last publication JUL 10 1952  
and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this 15th

day of July, 1952

*Eve Allis*

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

*My commission expires March 30, 1953*

This being the time and the place advertised for a public hearing for the adoption of the Twenty-Five Year Plan Retirement System for the Police Department of the Town of Cheektowaga, New York.

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

The following persons spoke in relation to the proposed Pension Plan;

Steven Bylebyc,  
Dr. Victor Reinstein,  
Harold J. Kuehlewind, President of the Cheektowaga Police Club;  
James Fleming, representing the Western New York Police Conference;  
Russell Thyret, Co-Chairman of the Cheektowaga Home Owners Assoc-

iation;

Henry Kurz,  
Chief of Police Marynowski;  
Capt. Herman of the Sloan Police Department;  
Robert J. Dobbins.  
Ralph Glim,  
Lieut. Kistrowski, of the Cheektowaga Police Department;  
Thaddeus Kuegel,  
Mrs. William Shores,

Communication read from the Town Park Home Owners Association advising the Board that their Association wishes to go on record as being in favor of the proposed Police Pension Plan as it now Stands. Ordered received and filed by Supervisor Holtz.

Communication read from the Cheektowaga Chamber of Commerce, wishing to go on record as in favor of the plan providing at the time of retirement policemen shall have attained the age of 55 years, otherwise retirement to occur at the end of 25 years of service. Ordered received and filed by Supervisor Holtz.

Communication read from the Polish American Citizens and Taxpayers of Walden District Inc., advising the Board that the Board of Directors voted unanimously not to oppose a Police Petition for a 25 year retirement fund, but objected to retroactive back payments by the Town of Cheektowaga. Ordered received and filed by Supervisor Holtz.

Communication read from the Council of Cheektowaga Homeowners Associations advising the Town Board that they suggest the 25 year plan be put into effect provided that it can be done without any inequities to other Town Employees. Ordered received and filed by Supervisor Holtz.

The Supervisor ordered the hearing closed.

Councilman Bystrak moved, seconded by Councilman Neibert, that the Town Attorney be authorized and directed to draw up a resolution to adopt the 25-year Pension Plan, as requested by the Police Department, and that the resolution be presented at the next regular Town Board meeting to be held on July 7, 1952, at 2:30 P.M., E.D.S.T.

CARRIED: AYES: -5-.

Councilman Neibert moved, seconded by Councilman Bystrak, to adjourn.

Kenneth T. Hanley

SEAL.

Town Clerk.

*Kenneth T Hanley.*