

Item No. 1 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 April, 1956, at 2:30 o'clock P.M., E.S.T., there were:

|                            |            |
|----------------------------|------------|
| PRESENT: Benedict T. Holtz | Supervisor |
| Henry J. Nagel             | Councilman |
| Felix T. Wroblewski        | "          |
| Joseph Kornecki            | "          |
| Joseph Trojanosky          | "          |
| Stanley R. Bystrak         | "          |
| ABSENT: Joseph A. Neibert  | "          |

Also present were: Town Clerk Kenneth T. Hanley; General Foreman John Eberl; Highway Superintendent Zablotny and Chief of Police John Mersmann.

Item No. 2 The Town Clerk advised the Town Board that a copy of the minutes of the previous meeting has been placed on their desk in the Council Chamber.

Item No. 3 Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the New York State Traffic Commission be requested, that the traffic signal light at the intersection of Clinton and Willowlawn Parkway, be in operation daily until 10:00 o'clock P.M.

FURTHER RESOLVED, that a copy of this resolution be forwarded to the State Traffic Commission at Albany, New York.

Seconded by Councilman Wroblewski.

CARRIED AYES-6-

ABSENT -1-

Item No. 4 Councilman Trojanosky, moves

Whereas under the date of March 19th, 1956, a communication was received from the Village Board of Depew, New York, pursuant to a resolution by that Board requesting that the Cheektowaga Town Board, take immediate action under the provisions of Sec. 130, Subd. 7 of the Town Law, to compel the Lehigh Valley Railroad to provide proper signals or bells and gates at the Lehigh Valley Railroad's crossing at French Road, in the Village of Depew, Town of Cheektowaga.

Be it hereby RESOLVED that the Cheektowaga Town Board, make a formal request to the Lehigh Valley Railroad, to install aforementioned protection facilities, to safeguard the lives of many users of French Road, and be it further

RESOLVED that if the Lehigh Valley Railroad does not of its own volition install protection facilities at said crossing as requested, that this Town Board take immediate action to compel said Railroad to provide requested protection pursuant to Sec. 130, Subd. 7 of the Town Law.

Seconded by Councilman Wroblewski.

|            |            |       |     |
|------------|------------|-------|-----|
| Councilman | Nagel      | Voted | AYE |
| Councilman | Wroblewski | Voted | AYE |
| Councilman | Kornecki   | Voted | AYE |
| Councilman | Trojanosky | Voted | AYE |
| Councilman | Bystrak    | Voted | AYE |
| Supervisor | Holtz      | Voted | AYE |

AYES -6-

ABSENT -1-

Item No. 5 Councilman Trojanosky moved, seconded by Councilman Kornecki, that the Town Clerk be authorized and directed to obtain from the Erie County Superintendent authorization and permission for the Town of Cheektowaga, New York, to install a traffic signal light at the intersection of Borden Road and Como Park Boulevard, in the Town of Cheektowaga, New York.

CARRIED AYES -6-

NOES -0-

ABSENT -1-

Item No. 8 Councilman Trojanosky presented the following resolution and moved its adoption:

WHEREAS the Town of Cheektowaga and the Lovejoy Builders Inc., have entered into an AGREEMENT wherein Lovejoy Builders Inc., has agreed to place topping on Shanley Street, in the Town of Cheektowaga, commencing at a point about 408 feet southerly from its intersection with Bismarck Street and then extending from that point to the intersection of said Shanley Street with the South line of Bismarck Street, and fronting Subdivision lots numbers 18 to 33 inclusive, as Shown on a subdivision map filed in Erie County Clerk's Office under Cover No. 1791, and has filed a Surety Company Bond in the sum of \$5000.00, conditioned that it comply in all respects, with the aforementioned Agreement, be it

RESOLVED, that the Supervision be authorized to execute the annexed Agreement between Lovejoy Builders Inc., and the Town of Cheektowaga, on behalf of the Town of Cheektowaga, New York, and be it further

RESOLVED, that Shanley Street, commencing at a point about 408 south of Bismarck Street, and proceeding north therefrom to south line of said Bismarck Street, and fronting subdivision lots numbers 18 to 33 inclusive, as shown under Map Cover 1791, be accepted as a Town Highway under the jurisdiction of the Town Highway Superintendent.

That the Town Attorney be and he is hereby authorized and directed to record in the Erie County Clerk's Office, a deed to said highway.

SECONDED by Councilman Kornecki and duly put to a vote, which resulted as follows:

|            |            |        |     |
|------------|------------|--------|-----|
| Supervisor | Holtz      | Voting | AYE |
| Councilman | Nagel      | Voting | AYE |
| Councilman | Wroblewski | Voting | AYE |
| Councilman | Kornecki   | Voting | AYE |
| Councilman | Trojanosky | Voting | AYE |
| Councilman | Bystrak    | Voting | AYE |

AYES -6-

NOES -0-

ABSENT -1-

#### AGREEMENT

THIS AGREEMENT made this 2 day of April 1956, by and between the Town of Cheektowaga, a municipal corporation of the State of New York, party of the first part and Lovejoy Builders Inc., a domestic corporation, with its offices and principal place of business at No. 1267 Walden Avenue, in the Town of Cheektowaga, County of Erie and State of New York, party of the second part.

#### WITNESSETH

WHEREAS, the party of the second part is the owner of the abutting property on Shanley Street, in the Town of Cheektowaga, New York, known as Subdivision Lots Nos. 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, and 33, as shown on a subdivision map filed in the Erie County Clerk's Office under Cover No. 1791 and

WHEREAS, the party of the second part is desirous for constructing the foundation and the topping for the highway on Shanley Street, as above described, and has also constructed in said highway a sanitary sewer, and

WHEREAS, the party of the second part has requested the Town of Cheektowaga to accept, as a Town Highway, SHANLEY STREET, as above described, and is willing to enter into a contract with the Town of Cheektowaga, New York, to place the foundation and topping on said street and complete the same, so that the street will comply with the specifications of the Town Highway Department and the regulations of the Town of Cheektowaga, New York, it is hereby

AGREED, that the party of second part agrees to place foundation and topping on Shanley Street commencing at a point about 408 feet southerly from its intersection with Bismarck Street and then extending from that point to the intersection of said Shanley Street with the Southerly line of Bismarck Street, as shown on a subdivision map filed in the Erie County Clerk's Office under Cover No. 1791.

It further agrees, where necessary, to reconstruct the foundation of said highway and to complete the same, so that said highway, will conform, in every respect, with specifications of the Town Highway Department and the regulations of the Town of Cheektowaga, New York, and it is further

UNDERSTOOD AND AGREED, that the party of the second part will furnish to the party of the first part, a **Surety Bond**, issued by a Bonding Company authorized to do business in the State of New York, and properly executed by the party of the second part, in the sum of \$5000.00, said Bond TO PROVIDE: that the party of the second part, will, in all respects, comply with the terms and conditions of this AGREEMENT, and the accompanying resolution of the Town Board on or before 10-1-56.

In the event that the party of second part fails to fulfill the terms and conditions of this AGREEMENT, then the party of the first, is hereby authorized, to complete said highway, so that the same complies in every respect, with the minimum specifications of the Town Highway Department and the regulations of the Town of Cheektowaga, New York, and all expenses incurred by it in completing said highway, shall be paid by the party of the second part and its surety, and in the event the said sum of \$5000.00, will be insufficient to pay such cost, then the party of the second part, hereby agrees to pay every and all deficiency; and it is however

AGREED, that the maximum liability of the Surety Company is limited to the sum of \$5000.00.

Upon filing with the Town Board an accepted copy of this AGREEMENT and a properly executed Surety Bond, it is Agreed: that the party of the first part hereby accepts said highway as a Town Highway, subject to the jurisdiction of the Town Highway Department.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written

Town of Cheektowaga

LOVEJOY BUILDERS INC.

BY Benedict T. Holtz  
Supervisor

BY Joseph Goszewski, Sec.

13  
32

Item No. 7 Councilman Bystrak, presented the following resolution and moved its adoption:

RESOLVED, that John Martin, , be appointed, provisionally, a Grade II Operator at Disposal Plant No. 5 in the Town of Cheektowaga and be compensated at an annual salary of \$4200. payable semi-monthly, effective immediately.

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

|            |                      |        |            |
|------------|----------------------|--------|------------|
| Supervisor | Benedict T. Holtz,   | Voting | <u>AYE</u> |
| Councilman | Henry J. Nagel,      | Voting | <u>AYE</u> |
| Councilman | Felix T. Wroblewski, | Voting | <u>AYE</u> |
| Councilman | Stanley R. Bystrak,  | Voting | <u>AYE</u> |
| Councilman | Joseph Trojanosky,   | Voting | <u>AYE</u> |
| Councilman | Joseph Kornecki,     | Voting | <u>AYE</u> |

AYES -6-

NOES -0-

ABSENT -1-

31

Item No. 8 Councilman Bustrak, presented the following resolution and moved its adoption:

RESOLVED that Edward Buczynski, be appointed (temporarily) Motor Equipment Operator at \$1.98-1/2 per hour, to be compensated from the General Lighting District. This appointment to be effective April 16, 1956.

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

|            |             |        |            |
|------------|-------------|--------|------------|
| Supervisor | Holtz,      | Voting | <u>AYE</u> |
| Councilman | Nagel,      | Voting | <u>AYE</u> |
| Councilman | Wroblewski, | Voting | <u>AYE</u> |
| Councilman | Bystrak,    | Voting | <u>AYE</u> |
| Councilman | Trojanosky, | Voting | <u>AYE</u> |
| Councilman | Kornecki,   | Voting | <u>AYE</u> |

AYES -6-

NOES -0-

ABSENT -1-

31

Item No. 9 Councilman Wroblewski, moved, seconded by Councilman Trojanosky, that the request of the V.F.W. Post located at the corner of Harlem Road and Genesee Street to Show on its grounds on the 6th day of June, 1956, a circus, be approved.

CARRIED AYES -6-

NOES -00

ABSENT -1-

Item No. 10 Councilman Wroblewski moved, seconded by Councilman Trojanosky, that the Town Clerk be authorized and directed to issue building permits on applications processed by the Petitions Committee on 3-10-56 3-30-56, after same have been approved by the Building Inspector.

CARRIED AYES -6-

NOES -0-

ABSENT -1-

Item No. 11 Councilman Wroblewski moves the following resolutions and moves it's adoption. Seconded by Councilman Kornecki. That the Erie County Water Authority install four hydrants on Como Park Boulevard as requested by the Bellevue Volunteer Fire Company.

Said hydrants to be located at:

1. Corner Como Park Blvd. and Center Street.
2. Corner Como Park Blvd. and Homewood Avenue.
3. Como Park Blvd.; 700 feet east of Union Road.
4. Como Park Blvd.; 1,320 ft. east of Union Road.

AYES -6-

ABSENT -1-

Item No. 12 On a motion by Councilman Bystrak, seconded by Councilman Kornecki, that the request of Chairman of the Board of Assessors that one Assessor attend the New York State Assessors Association Annual Conference at Rochester, New York, on April 16th to April 18th, 1956, be granted.

AYES: -6- ABSENT: -1-

Item No. 13 This being the time and the place advertised for the receiving of sealed bids for the purchase of two (2) police automobiles for use in the Police Department.

The Town Clerk presented proof that the Notice to Bidders has been duly published and posted as according to law.

Councilman Bystrak moved, seconded by Councilman Nagel that the Town Clerk be authorized and directed to open the sealed bids on hand. Hereto are a list of the bids received:

|                             |  |
|-----------------------------|--|
| Taylor O'Brien Company..... | \$4,024.70                             |
| Suor Chevrolet.....         | 3,272.98 ( Not including power glide ) |
| Clements Chevrolet.....     | 4,113.02                               |
| Maroone Motors.....         | 3,718.68                               |

NOTE: The bid of Mernan Chevrolet Inc., was not filed with the Town Clerk until 4:15 P.M., on April 2, 1956. BID WAS NOT OPENED

Councilman Bystrak moved, seconded by Councilman Nagel, that the bids be referred to the Town Board for analysis and tabulation.

Item No. 14 This being the time and the place advertised for the receiving of sealed bids for the purchase of two (2) car radios, fully equipped, for use in the Police Department.

The Town Clerk presented proof that the Notice to Bidders has been published and posted as prescribed by law.

Councilman Bystrak moved, seconded by Councilman Nagel, that the Town Clerk be authorized and directed to open the sealed bids on hand:

Hereto is a list of the bids received:

|                               |          |
|-------------------------------|----------|
| General Electric Company..... | \$870.00 |
| Motorola Corporation.....     | 781.96   |

Councilman Bystrak moved, seconded by Councilman Nagel, that the bids be referred to the Town Board for analysis and tabulation.



**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 the said Town of Cheektowaga, New York, on the 2nd day of April, 1956 at 2:30 o'clock P.M., Eastern Standard Time, there were:

**PRESENT:**

Benedict T. Holtz, Supervisor  
Stanley R. Bystrak, Councilman  
Felix T. Wroblewski, Councilman  
Henry J. Nagel, Councilman  
Joseph Kornecki, Councilman  
Joseph Trojanosky, Councilman

**ABSENT:**

Joseph A. Neibert, Councilman

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

WHEREAS, this Town Board, at a meeting held March 19th, 1956 adopted a resolution that the Town Board meet at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York on the 2nd day of April, 1956 at 2:30 o'clock P.M., Eastern Standard Time, for the purpose of considering the advisability of amending the Sick Leave Ordinance, and

WHEREAS, notice of said public hearing was duly published and posted as required by law, not less than 10 nor more than 20 days prior to the date of the hearing, as is shown by the duly verified affidavits of publication and posting now on file in the Town Clerk's Office, and

WHEREAS, pursuant to said resolution, the Town Board of the Town of Cheektowaga, New York, did meet on the 2nd day of April, 1956 at the Town Hall in the Town of Cheektowaga, New York, for the purpose of considering the advisability of amending the Sick Leave Ordinance, and

WHEREAS, an opportunity was afforded all persons interested in the subject matter to be heard and at the conclusion of said public hearing, the Town Board decided that it was in the public interest to amend the Sick Leave Ordinance to provide as follows:

In order for an employee to be compensated for a holiday, he must report and work the day preceding the holiday as well as the day following unless he has authorized sick leave or authority from the head of the department, to be absent.

When an employee reports sick he must immediately contact Dr. Louis A. Vendetti, Health Doctor of the Town of Cheektowaga, New York, for a physical examination. Dr. Vendetti is ordered and directed to file with the Town Board a written report of the physical condition of the employee.

An employee reporting sick,

must report to the head of his department one hour before his starting time.

Any person violating the provisions of this ordinance shall be subject to suspension or dismissal.

and be it further

RESOLVED, that a copy of this resolution, certified by the Town Clerk, shall be entered in the minutes and published at least once in the DEPEW HERALD AND CHEEKTOWAGA NEWS, the CHEEKTOWAGA SUN, and the BUFFALO EVENING NEWS, newspapers having general circulation in said Town, and

That the Town Clerk, post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office a certified copy of this resolution and affidavit of the publication and posting thereof shall be filed with the Town Clerk.

This Ordinance shall take effect ten (10) days after such publication and posting, but such ordinance shall take effect from the date of its service as against a person served personally with a copy thereof certified by the Town Clerk under the corporate seal of the Town and showing the date of its passage and entry into the minutes.

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

Supervisor Holtz, voting Aye  
Councilman Bystrak, voting Aye  
Councilman Wroblewski, voting Aye  
Councilman Kornecki, voting Aye  
Councilman Nagel, voting Aye  
Councilman Trojanosky, voting Aye  
Councilman Neibert, Absent  
Ayes: 6; Noes: 0; Absent: 1.  
State of New York )  
Erie County ) ss:  
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 2nd day of April, 1956, 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 April, 1956.

KENNETH T. HANLEY,  
Clerk of the Town Board, Town of  
ap5 Cheektowaga, New York

Posted as follows on the 6th day of April, 1956:

1- Town Hall Bulletin Board.

Item No. 15- Cont'd Hereto attached is a copy of the Notice published in the  
Depew Herald-Cheektowaga News, the Cheektowaga Sun and the Buffalo Evening News:

Containing 63.83 acres

STATE OF NEW YORK  
COUNTY OF ERIE

ss.

NOW, THEREFORE, IT IS HEREBY ORDERED that the Town

**GUROWIC**

2336 William St. at Harlem

OLD MR. BOSTON VODKA

100 pf., 100% Gr. Neut. Sp.

\$4.39 5th

IROQUOIS WINES

20% Alc., Port, Sherry, Muscatel

\$2.52 gal. 2 gal. \$5.00

FREE TOWN-W

STOP DOWN TODAY -

Open Daily 10 a.m. to 10 p.

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 ..... day of ..... April, 1956, and the last insertion being on the ..... day of ..... April, 1956, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this ..... day of

April 1956

*James T. Stanley*  
Notary Public in and for Erie County

hn 11096-58

STATE OF NEW YORK  
COUNTY OF ERIE

On the 2nd day of April, 1956, the Town Board of Cheektowaga, New York, held a meeting in the said Town of Cheektowaga, New York, on the 2nd day of April, 1956 at 2:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT:

Woodward T. Holtz, Supervisor  
Stanley R. Bystrak, Councilman  
Felix T. Wroblewski, Councilman  
Henry J. Nagel, Councilman  
Joseph Kornecki, Councilman  
Joseph Trajanosky, Councilman

ABSENT:

Joseph A. Neibert, Councilman  
Councilman Wroblewski, present  
the following resolution and  
passed its adoption:

WHEREAS, this Town Board, at

the meeting of the Town Board, on the 2nd day of April, 1956 at 2:30 o'clock P.M., Eastern Standard Time, for the purpose of considering the advisability of amending the Sick Leave Ordinance, and

WHEREAS, notice of said public hearing was duly published and posted as required by law, not less than 10 nor more than 20 days prior to the date of the hearing, as is shown by the duly verified affidavits of publication and posting now on file in the Town Clerk's Office, and

WHEREAS, pursuant to said resolution, the Town Board of the Town of Cheektowaga, New York,

has adopted the following resolution, to amend the Sick Leave Ordinance, and

WHEREAS, an opportunity was afforded all persons interested in the subject matter to be heard and at the conclusion of said public hearing, the Town Board decided that it was in the public interest to amend the Sick Leave Ordinance to provide as follows:

In order for an employee to be compensated for a holiday, he must report and work the day preceding the holiday as well as the day following unless he has authorized sick leave or authority from the head of the department, to be absent.

When an employee reports sick he must immediately contact Dr. Louis A. Vendetti, Health Doctor of the Town of Cheektowaga, New York, for a physical examination. Dr. Vendetti is ordered and directed to file with the Town Board a written report of the physical condition of the employee.

An employee reporting sick, must report to the head of his department one hour before his starting time.

Any person violating the provisions of this ordinance shall be subject to suspension or dismissal.

and be it further

RESOLVED, that a copy of this resolution, certified by the Town Clerk, shall be entered in the minutes and published at least once in the DEPEW HERALD AND CHEEKTOWAGA NEWS, the CHEEKTOWAGA SUN, and the BUFFALO EVENING NEWS, newspapers having general circulation in said Town, and

That the Town Clerk, post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office a certified copy of this resolution and affidavit of the publication and posting thereof shall be filed with the Town Clerk.

This Ordinance shall take effect ten (10) days after such publication and posting, but such ordinance shall take effect from the date of its service as against a person served personally with a copy thereof certified by the Town Clerk under the corporate seal of the Town and showing the date of its passage and entry into the minutes.

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

Supervisor Holtz, voting Aye  
Councilman Bystrak, voting Aye  
Councilman Wroblewski,

voting Aye  
Councilman Kornecki, voting Aye  
Councilman Nagel, voting Aye  
Councilman Trajanosky,

voting Aye

Councilman Neibert, Absent

Ayes: 6; Noes: 0; Absent: 1

State of New York )

Erie County ) ss:

\_\_\_\_\_ as:

\_\_\_\_\_ as:

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\_\_\_\_\_ as:

\_\_\_\_\_ as:

Sworn to before me this \_\_\_\_\_

APR

\_\_\_\_\_

Notary Public

hn 11096-68

\_\_\_\_\_ 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 April, 1956; 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 2nd day of April, 1956.

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

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

EDWIN K. GROSS

being duly sworn, deposes and says that he is the

PUBLISHER

of

**The Cheektowaga Sun**

a public newspaper published in the Town of Cheektowaga,  
Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
one week, the ~~first~~ insertion being on the  
7th day of April, 1956, and  
last insertion being on the \_\_\_\_\_ day of  
\_\_\_\_\_, 19\_\_\_\_, and that not  
more than six days intervened between any two publi-  
cations thereof.

Edwin K. GrossSworn to before me this 13th day ofApril1956Kenneth T. Hanley  
Notary Public in and for Erie County

STATE OF NEW YORK  
COUNTY OF ERIE

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 2nd day of April, 1966 at 2:30 o'clock P.M., Eastern Standard Time, there were:

**PRESIDENT:** Benedict T. Holts, Supervisor; Stanley R. Byrdick, Councilman; Felix T. Wroblewski, Councilman; Henry J. Nagel, Councilman; Joseph Kernecki, Councilman; Joseph Trojanosky, Councilman. **ABSENT:** Joe A. Neilbert, Councilman.

Councilman Wroblewski presented the following resolution and moved its adoption:

**RESOLVED**, this Town Board, at a meeting held March 19th, 1966 adopted a resolution that the Town Board meet at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, on the 2nd day of April, 1966 at 2:30 o'clock P.M., Eastern Standard Time, for the purpose of considering the advisability of amending the Sick Leave Ordinance;

**WHEREAS**, notice of said public hearing was duly published and posted as required by law, not less than 10 nor more than 30 days prior to the date of the hearing, as is shown by the duly verified affidavits of publication and posting now on file in the Town Clerk's Office; and

**WHEREAS**, pursuant to said resolution, the Town Board of the Town of Cheektowaga, New York, did meet on the 2nd day of April, 1966 at the Town Hall in the Town of Cheektowaga, New York, for the purpose of considering the advisability of amending the Sick Leave Ordinance; and

**WHEREAS**, an opportunity was afforded all persons interested in the subject matter to be heard and as the conclusions of said public hearing, the Town Board decided that it was in the public interest to amend the Sick Leave Ordinance to provide as follows:

An order for an employee to be compensated for a holiday, by report and work the day following the holiday as well as the day following unless he has requested sick leave or authorized the head of the department to absent.

When an employee reports sick he must immediately contact DAVID A. VANDERLIP, Health Director, Town of Cheektowaga, New York, for a physical examination. Mr. Vanderlip is ordered and directed to file with the Town Board a written report of the physical condition of the employee. An employee reporting sick must report to the head of the department one hour before the starting time. Any person violating the provisions of this ordinance shall be subject to suspension or dismissal, and be it further **RESOLVED**, that a copy of this ordinance, certified by the Town Clerk, shall be entered in the minutes and published at least once in the **DEPUY HERALD** and **CHEEKTOWAGA NEWS**, the **CHEEKTOWAGA SUN** and **BUFFALO EVENING NEWS**, newspapers having general circulation in said Town, and

that the Town Clerk, post or have to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office a certified copy of this resolution and affidavit of publication and posting (hereinafter) shall be filed with the Town Clerk.

This Ordinance shall take effect (10) days after such publication and posting, but such ordinance shall take effect from the date of its service as against a person served personally with a copy thereof certified by the Town Clerk under the corporate seal of the Town and showing the date of its passage and entry into the minutes.

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

Supervisor Benedict T. Holts, voting aye; Councilman Stanley R. Byrdick, voting aye; Councilman Felix T. Wroblewski, voting aye; Councilman Henry J. Nagel, voting aye; Councilman Joseph Kernecki, voting aye; Councilman Joseph Trojanosky, voting aye. **AYES: 6. NOES: 0. ABSENT: 1.**

**STATE OF NEW YORK ERIE COUNTY.** Office of the Clerk of the Town of Cheektowaga: ss: This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 2nd day of April, 1966, 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 April, 1966. **KENNETH T. HANLEY**, Clerk of the Town Board, Town of Cheektowaga, N. Y.

State of New York

ERIE COUNTY

CITY OF BUFFALO

CE of the Town  
Erie County, New York, Cheektowaga,  
Town Hall, in the said Town of Cheek-  
towaga, New York, on the 2nd day of  
April, 1956, at 2:30 o'clock P.M., East-  
ern Standard Time, there were:

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

ABSENT:  
Joe. A. Neibert, Councilman  
Council Wroblewski presented the fol-  
lowing resolution and moved its adop-  
tion:

WHEREAS, this Town Board, at a  
meeting held March 19th, 1956, adopted  
a resolution that the Town Board meet  
at the Town Hall, corner of Broadway  
and Union Road, Cheektowaga, New  
York, on the 2nd day of April, 1956,

Norman J Ronald

of the City of Buffalo, New York, being duly sworn,  
deposes and says that he is **Principal Clerk**

of the BUFFALO EVENING NEWS, INC.,  
Publisher of the BUFFALO EVENING NEWS, a  
newspaper published in said city, that the notice of  
which the annexed printed slip taken from said  
newspaper is a copy, was inserted and published  
therein once a week for one

weeks, the first insertion being on the 6th  
day of April 19 56

\*\*\*\*\*

*Norman J Ronald*

Sworn to before me this 9th day

of April 19 56

*Eleanor M. Yax*

Notary Public, Erie County, N. Y.

ELEANOR M. YAX  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires March 30, 1958



**State of New York**  
**ERIE COUNTY**  
**CITY OF BUFFALO**

CE of the Town  
of Cheektowaga,  
Town Hall, in the said Town of Cheektowaga,  
April, 1936, at 2:30 o'clock P.M., Eastern  
Standard Time, there were:

**PRESENT:**  
Benedict T. Holtz, Supervisor  
Stanley R. Bystrak, Councilman  
Henry J. Wroblewski, Councilman  
Henry J. Nagel, Councilman  
Joseph Kornecki, Councilman  
Joseph Trojansky, Councilman

**ABSENT:**  
Jos. A. Neibert, Councilman  
Council Wroblewski presented the following resolution and moved its adoption:

**WHEREAS**, this Town Board, at a meeting held March 15th, 1936, adopted a resolution that the Town Board meet at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, on the 2nd day of April, 1936, at 2:30 P.M., Eastern Standard Time, for the purpose of considering the advisability of amending the Sick Leave Ordinance, and

**WHEREAS**, notice of said public hearing was duly published and posted as required by law, not less than 10 nor more than 20 days prior to the date of the hearing, as is shown by the duly verified affidavits of publication and posting now on file in the Town Clerk's Office, and

**WHEREAS**, pursuant to said resolution, the Town Board of the Town of Cheektowaga, New York, did meet on the 2nd day of April, 1936, at the Town Hall in the Town of Cheektowaga, New York, for the purpose of considering the advisability of amending the Sick Leave Ordinance, and

**WHEREAS**, an opportunity was afforded all persons interested in the subject matter to be heard and at the conclusion of said public hearing, the Town Board decided that it was in the public interest to amend the Sick Leave Ordinance to provide as follows:

In order for an employee to be compensated for a holiday, he must report and work the day preceding the holiday as well as the day following unless he has authorized sick leave or authority from the head of the department, to be absent.

When an employee reports sick he must immediately contact Dr. Louis A. Vendetti, Health Doctor of the Town of Cheektowaga, New York, for a physical examination. Dr. Vendetti is ordered and directed to file with the Town Board a written report of the physical condition of the employee.

An employee reporting sick, must report to the head of his department one hour before his starting time.

Any person violating the provisions of this ordinance shall be subject to suspension or dismissal.

**RESOLVED**, that a copy of this resolution, certified by the Town Clerk, shall be entered in the minutes and published at least once in the **DEFEW HERALD AND CHEEKTOWAGA NEWS**, **BUFFALO EVENING NEWS**, and **THE BUFFALO EVENING NEWS**, newspapers having general circulation in said Town.

That the Town Clerk, post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office a certified copy of this resolution and affidavit of the publication and posting thereof shall be filed with the Town Clerk.

This Ordinance shall take effect ten days after such publication and posting, but such ordinance shall take effect from the date of its service against a person served personally with a copy thereof certified by the Town Clerk under the corporate seal of the Town and showing the date of its passage and entry into the minutes.

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

**Aye:** Supervisor Benedict T. Holtz, Voting  
Councilman Stanley R. Bystrak Voting  
**Aye:**  
Councilman Henry J. Wroblewski Voting  
**Aye:**  
Councilman Henry J. Nagel Voting  
Councilman Joseph Kornecki Voting  
Councilman Joseph Trojansky Voting  
**AYES**

**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 the said Town of Cheektowaga, New York, on the 2nd day of April, 1956, at 2:30 o'clock p.m., Eastern Standard Time, there were:

**Present:**

Benedict T. Holtz, Supervisor  
Stanley R. Bystrak, Councilman  
Felix T. Wroblewski, Councilman  
Henry J. Nagel, Councilman  
Joseph Kornecki, Councilman  
Joseph Trojanosky, Councilman

**Absent:**

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

WHEREAS, this Town Board, at a meeting held March 19th, 1956, adopted a resolution that the Town Board meet at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, on the 2nd day of April, 1956 at 2:30 o'clock p.m., Eastern Standard Time, for the purpose of considering the advisability of adding paragraph 2 to Section 16 of the Zoning Ordinances, and

WHEREAS, notice of said public hearing was duly published and posted as required by law, not less than 10 nor more than 20 days prior to the date of the hearing, as is shown by the duly verified affidavits of publication and posting now on file in the Town Clerk's Office, and

WHEREAS, pursuant to said resolution, the Town Board of the Town of Cheektowaga, New York, did meet on the 2nd day of April, 1956 at the Town Hall in the Town of Cheektowaga, New York, for the purpose of considering the advisability of adding paragraph 2 to Section 16 of the Zoning Ordinances, and

WHEREAS, an opportunity was afforded all persons interested in the subject matter to be heard and at the conclusion of said public hearing, the Town Board decided that it was in the public interest to add paragraph 2 to Section 16 of the Zoning Ordinances to provide as follows:

Notwithstanding the foregoing provisions relative to obtaining the written consent of property owners as therein provided, the Town Board, may without such written consents, grant a permit to operate a public garage or gasoline filling station on property zoned for business purposes on property abutting on any county or state highway in said township outside of the village limits of the Village

of Sloan and the Village of Depew, if it be in the public interest to do so, taking into consideration the general character of the neighborhood and its possible affect upon the flow of traffic, and be it further

RESOLVED, that a copy of this resolution, certified by the Town Clerk, shall be entered in the minutes and published at least once in the Depew Herald and Cheektowaga News, the Cheektowaga Sun, and the Buffalo Evening News, newspapers having general circulation in said Town, and

That the Town Clerk, post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office a certified copy of this resolution and affidavit of the publication and posting thereof shall be filed with the Town Clerk.

This Ordinance shall take effect ten (10) days after such publication and posting, but such ordinance shall take effect from the date of its service as against a person served personally with a copy thereof certified by the Town Clerk under the corporate seal of the Town and showing the date of its passage and entry into the minutes.

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

Supervisor Benedict T. Holtz, voting Aye

Councilman Stanley R. Bystrak, voting Aye

Councilman Felix T. Wroblewski voting Aye

Councilman Henry J. Nagel, voting Aye

Councilman Joseph Kornecki, voting Aye

Councilman Joseph Trojanosky, voting Aye

Ayes: 6—Noes: 0—Absent: 1.  
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 2nd day of April, 1956, 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 April, 1956.

(Seal)

KENNETH T. HANLEY,  
Clerk of the Town Board,  
ap.5 Town of Cheektowaga, N. Y.

Posted as follows on the 6th day of April, 1956:

1- Town Hall Bulletin Board .

Item No. 16-Contd'  
Depew Herald-Cheekt

Hereto attached is a copy of the Notice published in the  
a. News; the Cheektowaga Sun and the Buffalo Evening News:

59:

being duly sworn, deposes and says that he is the

of the

Depew

Check to see if:

**cations thereof**

APR 6 1956

hn 11096-1 G8

STATE OF NEW YORK  
COUNTY OF ERIE

Board of the Town of Cheektowaga, Erie County, New York, met at the Town Hall in the said Town of Cheektowaga, New York, on the 2nd day of April, 1966, at 8 o'clock p.m., Eastern Standard Time, there were:

**Present:**  
Benedict T. Holtz, Supervisor  
Stanley R. Bystrak, Councilman  
Felix T. Wroblewski, Councilman  
Henry J. Nagel, Councilman  
Joseph Kornecki, Councilman  
Joseph Trojanosky, Councilman

**Absent:**  
Joseph A. Neibert, Councilman  
Councilman Kornecki presented the following resolution and moved its adoption:

**WHEREAS**, this Town Board, at a meeting held March 19th, 1966, adopted a resolution that the Town Board meet at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, on the 2nd day of April, 1966 at 8:30 o'clock p.m., Eastern Standard Time, for the purpose of considering the advisability of adding paragraph 2 to Section 16 of the Zoning Ordinances, and

**WHEREAS**, notice of said public hearing was duly published and posted as required by law, not less than 10 nor more than 20 days prior to the date of the hearing, and shown by the duly verified results of publication and posting now on file in the Town Clerk's Office, and

**WHEREAS**, pursuant to said resolution, the Town Board of the Town of Cheektowaga, New York, met on the 2nd day of April, 1966 at the Town Hall in the Town of Cheektowaga, New York, for the purpose of considering the advisability of adding paragraph 2 to Section 16 of the Zoning Ordinances, and

**WHEREAS**, an opportunity was afforded all persons interested in the subject matter to be heard and at the conclusion of said public hearing, the Town Board decided that it was in the public interest to add paragraph 2 to Section 16 of the Zoning Ordinances to provide as follows:

Notwithstanding the foregoing provisions relative to obtaining the written consent of property owners herein provided, the Town Board may without such written consent, grant a permit to operate a public garage or gasoline filling station on property zoned for business purposes on property located on any county or state highway in said township outside the village limits of the Village of Depew and the Village of Cheektowaga, if it be in the public interest to do so, taking into consideration the general character of the neighborhood and its possible effect upon the flow of traffic, and he it further

**RESOLVED**, that a copy of this resolution, certified by the Town Clerk, shall be entered in the minutes and published at least once in the Depew Herald and Cheektowaga News, the Cheektowaga Sun, and the Buffalo Evening News, newspapers having general circulation in said Town, and

That the Town Clerk, post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office a certified copy of this resolution and affidavit of the publication and posting thereof shall be filed with the Town Clerk.

This Ordinance shall take effect ten (10) days after such publication and posting, but such ordinance shall take effect from the date of its service as against a person served personally with a copy thereof certified by the Town Clerk under the corporate seal of the Town and showing the date of its passage and entry into the minutes.

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

Supervisor Benedict T. Holtz, voting Aye

Councilman Stanley R. Bystrak, voting Aye  
Councilman Felix T. Wroblewski, voting Aye  
Councilman Henry J. Nagel, voting Aye  
Councilman Joseph Kornecki, voting Aye  
Councilman Joseph Trojanosky, voting Aye

Ayes: 6—Nays: 0—Absent: 1  
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 2nd day of April, 1966, 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 April, 1966.

(Seal)  
KENNETH T. HANLEY,  
Clerk of the Town Board,  
ap.5 Town of Cheektowaga, N. Y.

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 2nd day of April, 1956 at 2:30 o'clock P.M., Eastern Standard Time, there

EDWIN K. GROSS

being duly sworn, deposes and says that he is the

PUBLISHER

of

## The Cheektowaga Sun

a daily newspaper published in the Town of Cheektowaga,

County, New York, that notice of which the

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

inserted and published therein once a week for

one week, the first insertion being on the

7th day of April, 1956, and

the last insertion being on the \_\_\_\_\_ day of

\_\_\_\_\_, 19\_\_\_\_, and that not

more than six days intervened between any two publi-

cations thereof.

Edwin K. Gross

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 2nd day of April, 1956 at 2:30 o'clock P.M., Eastern Standard Time, there

Present: Councilmen Trovati, voting aye; Councilman Stanley R. Bortak, voting aye; Councilman Felix T. Wroblewski, voting aye; Councilman Henry J. Naezel, voting aye; Councilman Joseph Kornacki, voting aye; Councilman Joseph Trafimow, voting aye.

ABSENT: 1. 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 2nd day of April, 1956, 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 April, 1956. KENNETH T. HANLEY, Clerk of the Town Board, Town of Cheektowaga, N. Y.

Sworn to before me this 13th day of

April 1956

Kenneth T. Hanley

Notary Public in and for Erie County

STATE OF NEW YORK  
COUNTY OF ERIE

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in said Town of Cheektowaga, New York, on the 2nd day of April, 1936 at 2:30 o'clock P.M., Eastern Standard Time, there were:

**PRESENT:** Benedict T. Holtz, Supervisor; Stanley R. Bystrak, Councilman; Felix T. Wroblewski, Councilman; Henry J. Nagel, Councilman; Joseph Kornecki, Councilman; Joseph Trojanosky, Councilman. **ABSENT:** Jos. A. McRobert, Councilman.

Councilman Kornecki presented the following resolution and moved its adoption:

**WHEREAS**, this Town Board, at a meeting held March 18th, 1936 adopted a resolution that the Town Board meet at the Town Hall, corner of Broadway and Main Road, Cheektowaga, New York, on the 2nd day of April, 1936 at 2:30 o'clock P.M., Eastern Standard Time, for the purpose of considering the advisability of adding paragraph 2 to Section 16 of the Zoning Ordinance, and

**WHEREAS**, notice of said public hearing was duly published and posted as required by law, not less than 15 nor more than 30 days prior to the date of the hearing, as is shown by the duly certified affidavits of publication and posting now on file in the Town Clerk's Office, and

**WHEREAS**, pursuant to said resolution, the Town Board of the Town of Cheektowaga, New York, did meet on the 2nd day of April, 1936 at the Town Hall in the Town of Cheektowaga, New York, for the purpose of considering the advisability of adding paragraph 2 to Section 16 of the Zoning Ordinance, and

**WHEREAS**, an opportunity was afforded all persons interested in the subject matter to be heard and at the conclusion of said public hearing, the Town Board decided that it was in the public interest to add paragraph 2 to Section 16 of the Zoning Ordinance, to provide as follows:

Notwithstanding the foregoing Ordinance relative to obtaining written consent of property owners as therein provided, the Town Board, may without such written consent, grant a permit to erect a public garage or storage filling station on property zoned for business purposes, the property abutting on any corner of state highway in said township outside of the village limits of the Village of Moan and the Village of Depew, if it be in the public interest to do so, taking into consideration the general character of the neighborhood and its possible effect upon the flow of traffic, and be it further resolved, that a copy of this Ordinance be posted in the Town Clerk's Office.

In the BUFFALO HERALD AND CHEEKTOWAGA NEWS, and CHEEKTOWAGA SUN and the BUFFALO EVENING NEWS, newspapers having general circulation in said Town, and

that the Town Clerk, post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office a certified copy of this resolution and affidavit of publication and posting thereof shall be filed with the Town Clerk.

This Ordinance shall take effect ten (10) days after such publication and posting, but such Ordinance shall take effect from the date of its service as against a person served personally with a copy thereof certified by the Town Clerk under the corporate seal of the Town and showing the date of its passage and entry into its minutes.

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

**Assent:** Supervisor Benedict T. Holtz, voting aye; Councilman Stanley R. Bystrak, voting aye; Councilman Felix T. Wroblewski, voting aye; Councilman Henry J. Nagel, voting aye; Councilman Joseph Kornecki, voting aye; Councilman Joseph Trojanosky, voting aye. **AYES:** 6. **NOES:** 0. **ABSENT:** 1.

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 2nd day of April, 1936, 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 April, 1936. KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, N. Y.



**State of New York**  
**ERIE COUNTY**  
**CITY OF BUFFALO**

Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 2nd day of April, 1956, at 8:30 o'clock P.M., Eastern Standard Time, there were:

**PRESENT:**  
 Benedict T. Heitz, Supervisor  
 Stanley R. Bystrak, Councilman  
 Felix J. Wroblewski, Councilman  
 Henry J. Nagel, Councilman  
 Joseph Kordecki, Councilman  
 Joseph Trojanowky, Councilman

**ABSENT:**  
 Joe A. Neibert, Councilman

Councilman Kordecki presented the following resolution and moved its adoption:

**WHEREAS**, this Town Board, at a meeting held March 19th, 1956, adopted a resolution that the Town Board meet at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, on the 2nd day of April, 1956, at 8:30 o'clock P.M., Eastern Standard Time, for the purpose of considering the advisability of adding paragraph 2 to Section 16 of the Zoning Ordinances, and

**WHEREAS**, notice of said public hearing was duly published and posted as required by law, not less than 10 nor more than 30 days prior to the date of the hearing, as is shown by the duly verified affidavit of publication and posting now on file in the Town Clerk's Office, and

**WHEREAS**, pursuant to said resolution, the Town Board of the Town of Cheektowaga, New York, did meet on the 2nd day of April, 1956, at the Town Hall in the Town of Cheektowaga, New York, for the purpose of considering the advisability of adding paragraph 2 to Section 16 of the Zoning Ordinances, and

**WHEREAS**, an opportunity was afforded all persons interested in the subject matter to be heard and at the conclusion of said public hearing, the Town Board decided that it was in the public interest to add paragraph 2 to Section 16 of the Zoning Ordinances to provide as follows:

Notwithstanding the foregoing provisions relative to obtaining the written consent of property owners as therein provided, the Town Board, may without such written consent, grant a parking filling station on property zoned for business purposes on property abutting on any county or state highway in said township outside of the village limits of the Village of Tonawanda and the Village of Depew, if it be in the public interest to do so taking into consideration the general character of the neighborhood.

Norman J. Ronald

of the City of Buffalo, New York, being duly sworn, deposes and says that he is Principal Clerk of the BUFFALO EVENING NEWS, INC., Publisher of the BUFFALO EVENING NEWS, a newspaper published in said city, that the notice of which the annexed printed slip taken from said newspaper is a copy, was inserted and published therein ONCE a week for ONE weeks, the first insertion being on the 6th day of April 19 56 and the last

Norman J. Ronald

Sworn to before me this 9th day of April 19 56

Eleanor M. Yax  
 ELEANOR M. YAX Notary Public, Erie County, N. Y.  
 Notary Public, State of New York  
 Qualified in Erie County  
 My Commission Expires March 30, 1958

**State of New York**  
**ERIE COUNTY**  
**CITY OF BUFFALO**

Sworn  
of

Board of the Town of Cheektowaga, Erie County, New York, held a meeting in the Town Hall in the said Town of Cheektowaga, New York, on the 2nd day of April, 1938, at 8:30 o'clock P.M., Eastern Standard Time, there were:

**PRESENT:**  
 Benedict T. Holtz, Supervisor  
 Stanley E. Bystrak, Councilman  
 Felix T. Wroblewski, Councilman  
 Henry J. Nagel, Councilman  
 Joseph Kordecki, Councilman  
 Joseph Trojanosky, Councilman

**ABSENT:**  
 Joe A. Neibert, Councilman

Councilman Kordecki presented the following resolution and moved its adoption:

**WHEREAS**, this Town Board, at a meeting held March 19th, 1938, adopted a resolution that the Town Board meet at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, on the 2nd day of April, 1938, at 8:30 o'clock P.M., Eastern Standard Time, for the purpose of considering the advisability of adding paragraph 2 to Section 18 of the Zoning Ordinances, and

**WHEREAS**, notice of said public hearing was duly published and posted as required by law, not less than 10 nor more than 30 days prior to the date of the hearing, as is shown by the duly verified affidavits of publication and posting now on file in the Town Clerk's Office, and

**WHEREAS**, pursuant to said resolution, the Town Board of the Town of Cheektowaga, New York, did meet on the 2nd day of April, 1938, at the Town Hall in the Town of Cheektowaga, New York, for the purpose of considering the advisability of adding paragraph 2 to Section 18 of the Zoning Ordinances, and

**WHEREAS**, an opportunity was afforded all persons interested in the subject matter to be heard and at the conclusion of said public hearing, the Town Board decided that it was in the public interest to add paragraph 2 to Section 18 of the Zoning Ordinances to provide as follows:

Notwithstanding the foregoing provisions relative to obtaining the written consent of property owners as therein provided, the Town Board, may without such written consent, grant a permit to operate a public garage or gasoline filling station on property zoned for business purposes on property abutting on any county or state highway in said townships outside of the village limits of the Village of Eden and the Village of Depew, if it be in the public interest to do so, taking into consideration the general character of the neighborhood and its possible effect upon the flow of traffic.

**RESOLVED**, that a copy of this resolution, as certified by the Town Clerk, shall be entered in the minutes and published at least once in the **DEFTOW**, **ERIALD AND CHEEKTOWAGA NEWS**, and **BUFFALO EVENING NEWS**, newspapers having general circulation in said Town, and

That the Town Clerk, post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office a certified copy of this resolution and affidavit of the publication and posting thereof shall be filed with the Town Clerk.

This Ordinance shall take effect ten (10) days after such publication, and posting, but such ordinance shall take effect from the date of its service as against a person served personally with a copy thereof certified by the Town Clerk under the corporate seal of the Town and showing the date of its passage and entry into the minutes.

Second by Councilman Trojanosky and duly put to a vote, which resulted as follows:

Supervisor Benedict T. Holtz Voting Aye  
 Councilman Stanley E. Bystrak Voting Aye  
 Councilman Felix T. Wroblewski Voting Aye  
 Councilman Henry J. Nagel Voting Aye  
 Councilman Joseph Kordecki Voting Aye  
 Councilman Joseph Trojanosky Voting Aye

**AYES: 6. NOES: 0. ABSENT: 1**

Melcourt Drive west, from Cameron Road to end of the street.

#### 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 April, 1956, 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 Kornecki—Councilman  
Joseph Trojanosky—Councilman  
Stanley R. Bystrak—Councilman

##### Absent:

Joseph A. Neibert—Councilman

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

WHEREAS, a petition for the improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 2nd day of April, 1956.

#### PUBLIC HIGHWAYS TO BE IMPROVED

Name of Highway — Melcourt Drive, west from Cameron Road to End of Street.

#### TYPE OF STREET LIGHTING INSTALLATION

6 Y 19 Standards-Under-Ground Conduit.

WHEREAS, Edward B. Jerzewski, Eugene Rudzynski, and Andrew H. Schwenk, Assessors of said Town of Cheektowaga have certified in writing to this board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage or bounds on both sides of each of said highways to be improved, as aforesaid, and

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

NOW, THEREFORE, IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 16th day of April, 1956, at 7:30 p.m., Eastern Standard Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

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

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

Supervisor Holtz voting Aye  
Councilman Nagel voting Aye  
Councilman Wroblewski voting Aye  
Councilman Kornecki voting Aye  
Councilman Trojanosky voting Aye  
Councilman Bystrak voting Aye  
Ayes: 6—Noes: 0—Absent: 1.

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 April, 1956, 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 April, 1956.

(Seal)

KENNETH T. HANLEY,  
Clerk of the Town Board,  
ap.5 Town of Cheektowaga, N. Y.

Item No. 17-Centail' Posted as follows on the 6th day of April, 1956:

- 1- Post at the corner of Melcourt Drive West and Crescent Court;
- 2- Post in front of No. 90 Melcourt Drive West;
- 3- Post in front of No. 84 Melcourt Drive West;
- 4- Post in front of No. 80 Melcourt Drive West;
- 5- Post in front of No. 76 Melcourt Drive West;

Hereto attached is a copy of the notice published in the  
Depew Herald-Cheektowaga News:

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

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  
..... *one* ..... week, the first insertion being on the  
..... *5th* ..... day of ..... *April* ..... 19*56*, and  
the last insertion being on the ..... *5th* ..... day of  
..... *April* ..... 19*56*, and that not  
more than six days intervened between any two publi-  
cations thereof

*Richard G. Bennett*

Sworn to before me this ..... day of

*April 6* 1956

19

*Kenneth J. Barkley*

Notary Public in and for Erie County

hn 11096-C8

Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 16th day of April, 1956, at 7:30 p.m., Eastern Standard Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

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

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

Supervisor Holtz voting Aye  
Councilman Nagel voting Aye  
Councilman Wroblewski voting Aye  
Councilman Kornecki voting Aye  
Councilman Trojanosky voting Aye  
Councilman Bystrak voting Aye

Ayes: 6—Noes: 0—Absent: 1  
State of New York, Erie County)  
Office of the Clerk of the ) as:  
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 April, 1956, 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 April, 1956.

(Seal)  
KENNETH T. HANLEY, -  
Clerk of the Town Board,  
ap.5 Town of Cheektowaga, N. Y.

Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga, on the 2nd day of April, 1956, at 2:30 o'clock p.m., Eastern Standard Time, there

Present:  
Eduard T. Holtz—Supervisor  
Henry J. Nagel—Councilman  
John T. Wroblewski—Councilman  
Joseph Kornecki—Councilman  
Joseph Trojanosky—Councilman  
Stanley R. Bystrak—Councilman

Joseph A. Neibert—Councilman  
Bystrak offered the following resolution and moved its adoption:

WHEREAS, a petition for the improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga, herein particularly set forth, by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 2nd day of April,

**PUBLIC HIGHWAYS TO BE IMPROVED**

Name of Highway — Melcourt  
west from Cameron Road to  
Street,

**TYPE OF STREET LIGHTING INSTALLATION**

T 19 Standards—Under-Ground

WHEREAS, Edward B. Jerzewski, Eugene Rudzynski, and Arthur H. Schwenk, Assessors of said Town of Cheektowaga have certified in writing to this board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage or lots on both sides of each of the highways to be improved, as aforesaid, and

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

NOW, THEREFORE, IT IS HEREBY ORDERED that the Town

## WEST CHESTER DRIVE FROM HARLEM ROAD TO RIDGE PARK AVENUE

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 April, 1956, 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 Kornecki—Councilman  
Joseph Trojanosky—Councilman  
Stanley R. Bystrak—Councilman

## Absent:

Joseph A. Neibert—Councilman  
Mr. Bystrak offered the following resolution and moved its adoption:

WHEREAS, a petition for the improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 2nd day of April, 1956.

## PUBLIC HIGHWAYS TO BE IMPROVED

Name of Highway—West Chester Drive from Harlem Road to Ridge Avenue.

## TYPE OF STREET LIGHTING INSTALLATION

8 Y-20 Standards-Under-Ground Conduit.

WHEREAS, Edward B. Jerzewski, Eugene Rudzynski, and Andrew H. Schwenk, Assessors of said Town of Cheektowaga have certified in writing to this board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage or bounds on both sides of each of said highways to be improved, as aforesaid, and

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

NOW, THEREFORE, IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 16th day of April, 1956, at 7:30 p.m., Eastern Standard Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

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

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

Councilman Nagel voting Aye  
Councilman Wroblewski voting Aye  
Councilman Kornecki voting Aye  
Councilman Trojanosky voting Aye  
Councilman Bystrak voting Aye

Ayes: 6—Noes: 0—Absent: 1.  
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 2nd day of April, 1956, 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 April, 1956.

(Seal)

KENNETH T. HANLEY,  
Clerk of the Town Board,  
ap.5 Town of Cheektowaga, N. Y.

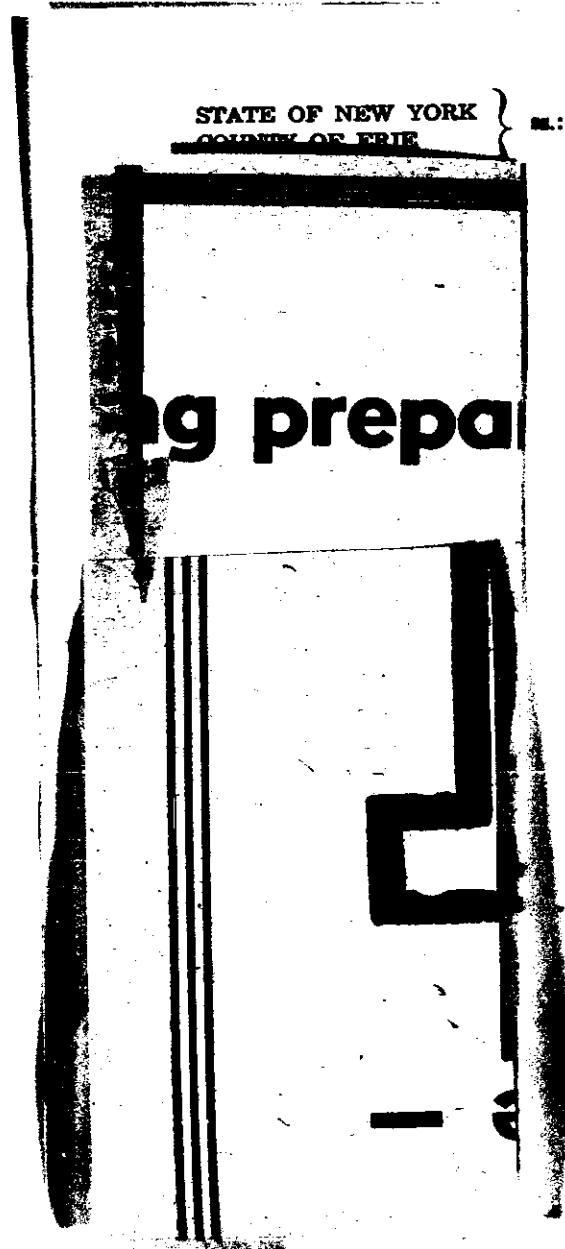


Item No. 18-Contd'

Posted as follows on the 6th day of April, 1956:

- 1- Post at the corner of West Chester Drive and Harlem Road;
- 2- Post in front of No. 25 West Chester Drive;
- 3- Post in front of No. 54 West Chester Drive;
- 4- Post in front of No. 88 West Chester Drive;
- 5- Telephone Pole at the corner of West Chester Drive and Pine Ridge Road.

Hereto attached is a copy of the Notice published in the Depew Herald-Cheektowaga News:



STATE OF NEW YORK  
COUNTY OF ERIE

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 one week, the first insertion being on the 5th day of April, 1956, and the last insertion being on the 5th day of April, 1956, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this \_\_\_\_\_ day of

APR 6 1956

19

*Kenneth J. Hanley*

Notary Public in and for Erie County

hn 11096-C8

Item No. 18-Contd' Posted as follows on the 6th day of April, 1956:

- 1- Post at the corner of West Chester Drive and Harlem Road;
- 2- Post in front of No. 25 West Chester Drive;
- 3- Post in front of No. 54 West Chester Drive;
- 4- Post in front of No. 88 West Chester Drive;
- 5- Telephone Pole at the corner of West Chester Drive and Pine Ridge Road.

Hereto attached is a copy of the Notice published in the Cheektowaga News:  
Cheektowaga News:

STATE OF NEW YORK  
COUNTY OF ERIE

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, in said Town of Cheektowaga, on the 2nd day of April, 1956, 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 Kornecki—Councilman  
Joseph Trojanosky—Councilman  
Stanley R. Bystrak—Councilman

**Absent:**  
Joseph A. Neibert—Councilman  
Mr. Bystrak offered the following resolution and moved its adoption:  
WHEREAS, a petition for the improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga, herein-after particularly set forth, by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 2nd day of April, 1956.

**PUBLIC HIGHWAYS TO BE IMPROVED**  
Name of Highway—West Chester Drive from Harlem Road to Ridge Avenue.

**TYPE OF STREET LIGHTING INSTALLATION**  
A Y-20 Standards-Under-Ground Conduit.

WHEREAS, Edward B. Jerzewski, Eugene Rudynski, and Andrew H. Schwenk, Assessors of said Town of Cheektowaga have certified in writing to this board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage or bounds on both sides of each of said highways to be improved, as aforesaid, and

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

NOW, THEREFORE, IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 16th day of April, 1956, at 7:30 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

that was in the Town of Cheektowaga News, a newspaper having a general circulation in the Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing aforesaid and that copies of this order be posted conspicuously in five public places on each of the said highways to be improved not less than ten (10) nor more than twenty (20) days before the day designated for the hearing as aforesaid.

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

Supervisor Holtz voting Aye  
Councilman Nagel voting Aye  
Councilman Wroblewski voting Aye  
Councilman Kornecki voting Aye  
Councilman Trojanosky voting Aye  
Councilman Bystrak voting Aye

Ayes: 6—Noes: 0—Absent: 1.  
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 2nd day of April, 1956, 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 April, 1956.  
(Seal)

KENNETH T. HANLEY,  
Clerk of the Town Board  
ap.5 Town of Cheektowaga, N. Y.

ALPINE PLACE FROM HERBERT PLACE TO PENNOCK PLACE.

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 April, 1956, 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 Kornecki—Councilman  
Joseph Trojanosky—Councilman  
Stanley R. Bystrak—Councilman

Absent:

Joseph A. Neibert—Councilman  
Mr. Bystrak offered the following resolution and moved its adoption:

WHEREAS, a petition for the improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga, herein after particularly set forth, by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 2nd day of April, 1956.

PUBLIC HIGHWAYS TO BE IMPROVED

Name of Highway—Alpine Place from Herbert Place to Pennock Place.

TYPE OF STREET LIGHTING INSTALLATION

No. 1348 Street Lighting Standards-Under-Ground Conduit.

WHEREAS, Edward B. Jerzewski, Eugene Rudzynski, and Andrew H. Schwenk, Assessors of said Town of Cheektowaga have certified in writing to this board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage or bounds on both sides of each of said highways to be improved, as aforesaid, and

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

NOW, THEREFORE, IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 16th day of April, 1956, at 7:30 p.m., Eastern Standard Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

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

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

Supervisor Holtz voting Aye  
Councilman Nagel voting Aye  
Councilman Wroblewski voting Aye  
Councilman Kornecki voting Aye  
Councilman Trojanosky voting Aye  
Councilman Bystrak voting Aye

Ayes: 6—Noes: 0—Absent: 1.  
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 2nd day of April, 1956, 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 April, 1956.

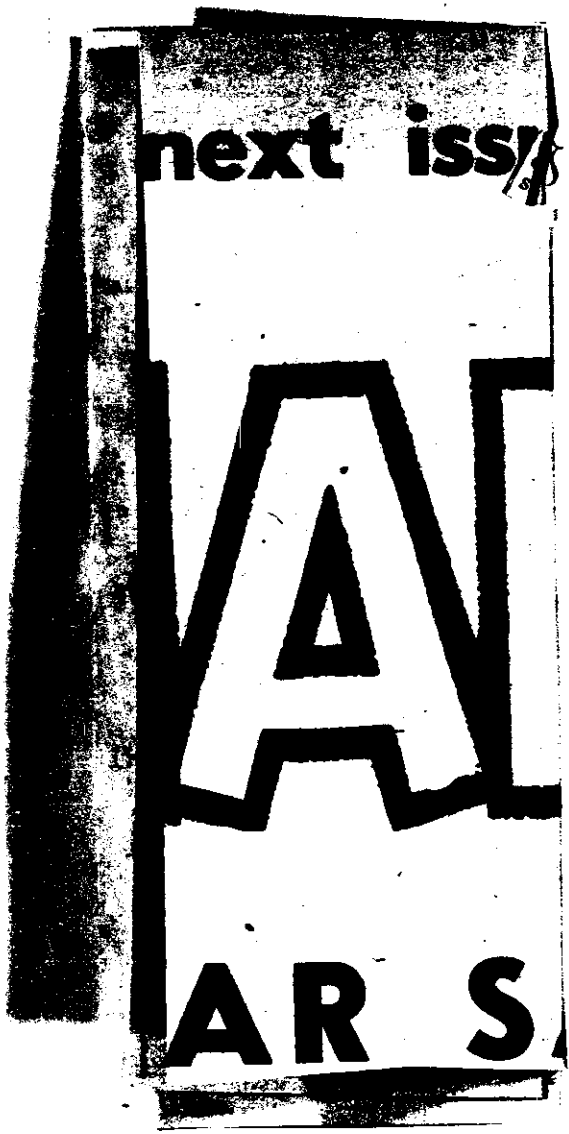
(Seal)

KENNETH T. HANLEY,  
Clerk of the Town Board,  
ap.5 Town of Cheektowaga, N. Y.

Item No. 19-Contd Posted as follows on the 6th day of April, 1956:

- 1- Telephone Pole at the corner of Alpine Place and Herbert Place;
- 2- Post in front of No. 71 Alpine Place;
- 3- Post in front of No. 72 Alpine Place;
- 4- Post in front of No. 91 Alpine Place;
- 5- Post at the corner of Alpine Place and Pennock Place.

Hereto attached is a copy of the Notice published in the  
Depew Herald-Cheektowaga News:



**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 one week, the first insertion being on the 5th day of April, 1956, and the last insertion being on the 5th day of April, 1956, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this ..... day of

APR 6 1956

*Kenneth T. Hanley*

Notary Public in and for Erie County

hn 11096-C8

# TYPE OF STREET LIGHTING INSTALLATION

No. 1348 Street Lighting Standards-Under-Ground Conduit.

WHEREAS, Edward B. Jerzewski, Eugene Rudzynski, and Andrew H. Schwenk, Assessors of said Town of Cheektowaga have certified in writing to this board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage or bounds on both sides of each of said highways to be improved, as aforesaid, and

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

NOW, THEREFORE, IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 16th day of April, 1956, at 7:30 p.m., Eastern Standard Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the Depew Herald-Cheektowaga News, a newspaper having a general circulation in 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.

## 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 2nd day of April, 1956, at 2:30 o'clock P.M., Eastern Standard Time, there were present:

Joseph T. Holts—Supervisor  
Henry J. Nagel—Councilman  
William T. Wroblewski—Councilman  
Joseph Kornecki—Councilman  
Joseph Trojanosky—Councilman  
Stanley R. Bystrak—Councilman

Absent:

Joseph A. Nelbert—Councilman

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

WHEREAS, a petition for the improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 2nd day of April,

**PUBLIC HIGHWAYS TO BE IMPROVED**  
Name of Highway—Alpine Place from Herbert Place to Pennock Place

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

Supervisor Holts voting Aye  
Councilman Nagel voting Aye  
Councilman Wroblewski voting Aye  
Councilman Kornecki voting Aye  
Councilman Trojanosky voting Aye  
Councilman Bystrak voting Aye  
Ayes: 6—Nays: 0—Absent: 1

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 2nd day of April, 1956, 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 April, 1956.

(Seal)  
KENNETH T. HANLEY,  
Clerk of the Town Board,  
ap.5 Town of Cheektowaga, N. Y.

Item No. 20 Mr. Alexander Piechowicz, president of the Walden Avenue Tax Payers Association, presented a petition bearing the names of approximately 1500 persons which read as follows:

63

\* TO THE CHEEKTOWAGA TOWN BOARD:

We, the undersigned, being affected taxpayers, hereby oppose the expansion of switching operations and the construction of stockyards, watering and feeding pens for cattle and livestock as proposed by the New York Central Railroad in the Walden, Harlem areas and request the Town Board as follows:

- 1) That they oppose any rezoning of any lands now owned or later acquired by the NYCRR, from First Industrial to Second Industrial or from Residential to Second Industrial.
- 2) That they oppose the granting of a permit for any demolishing or any construction for the purpose of erecting expanded switching operations and stockyards and feeding pens for cattle and livestock in the aforesaid areas.
- 3) That they oppose and deny permission to NYCRR to drain sewage from the proposed expanded switching operations and stockyards and feeding pens for cattle and livestock into the sewers of Sewer District No. 3 or No. 5.

The petition was referred to the Petitions Committee by the Chairman.

Item No. 21 Victor Mouch, Walden Avenue businessman spoke in relation to the above mentioned petition.

Item No. 22 The request for a Children at Play Sign on Calderwood Avenue at Burke Drive was referred to the Chief of Police.

Item No. 23 Petition presented for the erection of a push button traffic signal at the corner of Mount Vernon Drive and Cleveland Drive was referred to the Petitions Committee for study and investigation.

Item No. 24 Communication read from the Genesee Pine Hill Businessmens Association informing the Board of their opposition to the New York Central Railroads proposed stock yards. Ordered referred to the Petitions Committee and the Zoning Board of Appeals.

Item No. 25 Communication read from Forks Fire District No. 3 relating to various empty homes and the Old Folks Home in their district which are unprotected from persons entering same. Ordered referred to the Chief of Police.

Item No. 26 Communication read from the Chief of Police recommending the purchase of two motorcycles for use in the Police Department. Ordered referred to the Town Attorney.

Item No. 27 Councilman Korencki moved, seconded by Councilman Bystrak, that all claims presented at this meeting for audit be approved and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same. ( Warrant No. 704 to Warrant No. 863, inclusive, drawn on the Supervisor).

Item No. 28 Councilman Bystrak moved, seconded by Councilman Nagel, to adjourn.

SEAL.

Kenneth T. Hanley, Town Clerk

*Kenneth T. Hanley*

Item No. 1 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 7th day of April, 1956, at 10:00 o'clock A.M., E.S.T., there were:

|          |                     |            |
|----------|---------------------|------------|
| PRESENT: | Benedict T. Holtz   | Supervisor |
|          | Henry J. Nagel      | Councilman |
|          | Felix T. Wroblewski | Councilman |
|          | Joseph Kornecki     | Councilman |
|          | Joseph Trojanosky   | Councilman |
|          | Stanley R. Bystrak  | Councilman |
| ABSENT:  | Joseph A. Neibert   | Councilman |

Also present were: Town Clerk Kenneth T. Hanley and Town Attorney George B. Doyle.

Item No. 2 Supervisor Holtz announced that this meeting was called at the request of Councilman Kornecki for the purpose of considering the applications of the New York Central Railroad Company in relation to its proposed modernization plan in the Town of Cheektowaga.

Item No. 3 Supervisor Holtz read the following communication from the New York Central Railroad Company:

NEW YORK CENTRAL SYSTEM

W.T. ALEXANDER JR.  
Assistant Chief Engineer-System

466 LEXINGTON AVENUE  
New York 17, N.Y.

April 7, 1956

The Honorable Town Board  
Town of Cheektowaga  
Town Hall  
Cheektowaga, New York

In Re: Transit Feeding Station Structures

Gentlemen:

On April 2, 1956, the New York Central Railroad Company filed with your Town Clerk two sets of applications for building permits relating to structures in that portion of its new electronically controlled freight classification yard lying within the Town of Cheektowaga.

1) One set of applications (7) and related plans covered the structures incidental to the new yard, exclusive of the proposed transit feeding station.

2) The second set of applications (6) and related plans covered the structures incidental to the transit feeding station for livestock which we are required, under federal laws, to furnish and operate for the feeding and resting of livestock while in our hands as a common carrier.

We have no choice as to whether we will furnish this transit feeding facility. It is a duty imposed upon us by federal law.

During the past few days it has become increasingly clear to us that our first selection of a site, viz, that shown on the plans submitted with our second set of applications above referred to, has met with widespread opposition from residents, and retail businesses alike.

As our railroad is a member of your community, and also hopes to continue to serve your best interestes, we have definitely decided to fully explore and pursue other means of fulfilling our duty under the law as to the location of this legally imposed adjunct of our business.

Consequently, we do now withdraw the second set of applications, viz, all those relating to the transit livestock feeding station structures.

As to our first set of applications, namely, those relating to the yard structures, exclusive of the transit feeding station structures, we feel very keenly that under the law we are entitled to have such permits granted.

We will appreciate your early consideration of such applications and the issuance of such permits.

Very truly yours,

W.T. Alexander Jr.

Item No. 4 Supervisor Holtz made the following announcement;

" The New York Central Railroad Company filed with the Town Clerk, applications for thirteen (13) building permits and included in them were permits to construct, in Cheektowaga, what I would call a stockyards.

I examined the applications for the building permits, but I concentrated most of my thought to the building permits relating to the stockyards as I felt the construction of stockyards in Cheektowaga would greatly effect not only our residential areas, but the business and industrial sections which are being developed. Now that the Railroad Company has withdrawn the applications for building permits in-so-far as they relate to the stockyards, so called, I must say that I do not believe that sufficient investigation has been made of the remaining permits in order for the Town Board to act intelligently upon them. I do know that the Town Board is much concerned over the expansion of the railroad facilities in Cheektowaga, and the miles of property available for industrial development. Many thousands of acres of land abutting on the railroads in the township have been expressly designated for industrial use, by the Town Board. We are most anxious to see that the Railroad Companies expand their facilities to meet the growing demands in Cheektowaga as well as in Buffalo.

I have not sufficiently examined the plans and other documents filed with the Town Board, by the New York Central Railroad Company, to be able to determine whether all the applications for building permits should be granted. I want further time to study them and there will be no action taken upon them today. We will, however, act upon the building permits at the next regular meeting of the Town Board which will be held April 16th."

Item No. 5 The Supervisor asked if there was anyone from the floor who wished to speak in favor of the proposed plan of the New York Central Railroad.

Ralph J. Radwan, Cheektowaga Justice of the Peace, representing the Walden Avenue Taxpayers Association spoke in opposition to the proposed car cleaning and coopering building.

Mr. Defendorf representing the New York Central Railroad spoke in favor, explaining that his company will use the most modern equipment of vacuuming to clean the cars, and that there will be no mess along the railroad line.

Mr. Radwan said that his organization has no objection to the track lay-out proposal, and requested that the Town Board hold a public hearing on the applications for the Car Cleaning and Cooper Buildings.

Mr. Peter Ryba was granted the floor speaking as a taxpayers and as a representative of his respective Union, and requested that the railroad company find facilities along company owned property on Furhmann Boulevard, near Ohio Street. He also favored another public hearing on the matter.

Mr. Leon Jaborski of No. was advised by the railroad officials that the stockyards will not be moved from their present location on William Street.

Mr. Mark Turner, attorney for the New York Central Railroad Company told the audience that the New York Central is subject to the law in regard to being a nuisance and must keep things tidy and clean.

Mr. W.T. Alexander, Engineer for the New York Central realted to the audience that we will not clean cars in the Buffalo Yards and we will not create a nuisance.

Virginia Musel of No. was advised by the Chairman that the watering and feeding facilities would necessitate Second Industry Zoning.

Mr. Nicholas Rogacki of No. was advised by the railroad officials that the New York Central Yards at Gardenville will be closed.

Mr. Rogacki related to the Board and the Railroad Officials that the cars would bring large rats, would be a nuisance, and would smell.

Mr. John McIntyre of No. was advised by the railroad officials that odors could be eliminated by the operation of electric cleaning machines.

Mr. D. Lennox of No. was advised that the railroad would dispose of any garbage by incineration.

Mr. Leonx also enquired why the railroad does not modernize the Gardenville Yards, and wa advised by Mr. Alexander that the railroad is doing just that by this new proposed improvement.



Item No. 5-Cont'd Mr. Stanley Ogella of No.  
proposed improvement would bring rats and bad odors.

complained that the

Mr. Walter Severn of No. inquired to whether or  
not the grain cars are lined and was advised by Councilman Kornecki they were  
lined with rock lathe.

Mr. John Mookusky of No. requested that the taxpayers  
should be presented with a plan for study. Mr. Mookusky further stated that the  
Railroad did not take in consideration the people of the Town when the proposed  
modernization plans were drawn up.

Mr. Leo Chmielski of No. was granted the floor and  
asked if the Gardenvale Yards have become deplorable what is to stop the new yards  
from becoming the same.

Mr. Goldberg, Resident Manager of the Thruway Plaza was granted the floor  
and related to the Railroad Officials and the Town Board that he thought that the  
railroad has used bad public relations. He suggested that the railroad obtain  
another location, emphasizing that there must be a second choice.

Mr. Goldberg continued, The New York Central released its own statement  
to the press. We are concerned that suddenly the work has been started, We are in  
hopes that you can come up with a secondary program.

Mr. Alexander Piechowicz was granted the floor and questioned the rail-  
road officials in regard as to how they can eliminate the dirt and odor.

Item No. 6 Councilman Kornecki presented the following resolution and moved its  
adoption:

RESOLVED, that the New York Central Railroad Company file with the  
Town Clerk numerous plans and specifications in relation to the proposed erection  
of a Cleaning and Cooper Building in the Town of Cheektowaga, New York, and be it  
further

RESOLVED, that the Chairman call a public hearing on the hereinbefore  
mentioned plans and specifications after the various Taxpayers Associations and  
interested persons of the Town have had a chance to study same, and be it further

RESOLVED, that the New York Central Railroad Company be requested to  
make a survey for another location, instead of in the Town of Cheektowaga, for its  
proposed modernization program.

Seconded by Councilman Wroblewski.

CARRIED AYES -6-

ABSENT -1-

Item No. 7 Councilman Bystrak presented the following resolution and moved its  
adoption:

RESOLVED, that the Town Attorney be authorized and directed to employ  
additional counsel to defend the town in any action by the New York Central Railroad  
against the town in relation to the proposed modernization of its railroads in the  
Town of Cheektowaga.

Seconded by Councilman Wroblewski.

CARRIED AYES -6-

ABSENT -1-

Item No. 8 Councilman Kornecki moved, seconded by Councilman Bystrak, to adjourn

SEAL

Kenneth T. Hanley, Town Clerk

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 16th day of April, 1956, at 7:30 o'clock P.M., E.S.T., there were:

|                            |            |
|----------------------------|------------|
| PRESENT: Benedict T. Holtz | Supervisor |
| Henry J. Nagel             | Councilman |
| Felix T. Wroblewski        | "          |
| Joseph Kornecki            | "          |
| Joseph Trojanosky          | "          |
| Joseph A. Neibert          | "          |
| Stanley R. Bystrak         | "          |

Also present were: Kenneth T. Hanley, Town Clerk; George B. Doyle, Town Attorney; John Mersmann, Chief of Police and John Zablotny, Highway Superintendent.

Item No. 2 The Town Clerk advised the Board that a copy of the minutes of the previous meeting has been placed on their desk in the Council Chamber.

Item No. 3 Petition for street lighting equipment in Beale Avenue ordered referred to the Assessors for a property check. 17

Item No. 4 Petition for a lateral sanitary in Yvonne Avenue ordered referred to the Assessors for a property check. 17

Item No. 5 Petition for a permanent highway in Yvonne Avenue referred to the Assessors for a property check. 17

Item No. 6 Petition for permanent highway, drain and receivers in Yvonne Avenue referred to the Assessors for a property check. 17

Item No. 7 Councilman Wroblewski moved, seconded by Councilman Trojanosky, that Patrolman Alfred Golembiewski, Frank Dorobiala and Ralph Gardner be authorized to attend the Sheriffs' Erie County Law Enforcement and Training School. 18

Item No. 8 Councilman Wroblewski moved, seconded by Councilman Trojanosky, that Detective Sergeants Robert Molik and Jerome Schneider be authorized to attend the Kenmore Police Departments Fingerprint Course from May 7th to May 14th, 1956. 18

Item No. 9

TO: TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, NEW YORK and JOHN J ZABLOTNY, SUPERINTENDENT OF HIGHWAYS OF SAID TOWN.

The petition of EDWARD SEEBERG, residing at , Buffalo, New York, respectfully shows:

That your petitioner is the owner of the land abutting on both sides of The Avenue, commencing at the right-of-way of the New York Central Railroad Company and extending in a sotherly direction from said New York Central Railroad Company right-of-way a distance of 275 feet and more on the west side of the Avenue and a distance of 306 feet and more on the east side of The Avenue.

That other than the New York Central Railroad Company there are no other abutting owners on the portion of the highway sought to be abandoned.

That said portion of said highway sought to be abandoned has not been opened and worked as a highway within six years from the time it was dedicated to the use of the public, if dedicated at all, and has never been opened and worked as a highway at any time.

That the abandonment of said highway does not interfere in any way with the right of ingress and egress of any property owner located on The Avenue.

That the portion of The Avenue located between New Walden Avenue and the right-of-way of the New York Central Railroad Company has never been opened and worked as a highway at any time, but there are other owners of property located south of your petitioner's property and this application is not intended as an abandonment of the highway which their property lines abutt.

That no previous application has been made for the relief sought herein.

That annexed hereto and made a part of this petition in the written

Item No. 9 cont'd consent of the New York Central Railroad Company to the abandonment of a portion of the highway herein sought to be abandoned.

WHEREFORE, your petitioner respectfully prays that the Town Board of the Town of Cheektowaga and John J. Zablotny, Superintendent of Highways of said Town, abandon said portion of **The Avenue**, commencing at the right-of-way of the New York Central Railroad Company, and extending in a southerly direction a distance of 275 feet on the west side of The Avenue and distance of 306 feet on the east side of The Avenue, as above described in accordance with Section 205 of the Highway Law of the State of New York.

Edward Seeburg

STATE OF NEW YORK )  
COUNTY OF ERIE ) ss.

EDWARD SEEBURG, being duly sworn, deposes and says that he is the petitioner herein, that he has read the foregoing petition and knows the contents thereof; that the same is true to the knowledge of deponent, except as to the matters therein stated to be alleged on information and belief, and that as to those matters he believes it to be true.

Edward Seeburg

Subscribed as sworn to before me  
This 22nd day of March, 1956

Geo. B. Doyle  
Notary Public

TO: TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, NEW YORK and JOHN J. ZABLOTNY, SUPERINTENDENT OF HIGHWAYS OF SAID TOWN.

The NEW YORK CENTRAL RAILROAD COMPANY, a New York corporation joins in the petition of EDWARD SEEBERG, in requesting the Town of Cheektowaga, New York to abandon a portion of The Avenue, commencing at its right-of-way and extending in a sotherly direction a distance of 275 feet on the west side and 306 feet on the east side of The Avenue.

Dated March 28, 1956

NEW YORK CENTRAL RAILROAD COMPANY

BY: C. H. Morton  
General Land and Tax Agent

STATE OF NEW YORK )  
COUNTY OF ERIE ) ss.

C. H. MORTON, being duly sworn, deposes and says that he is the General Land and Tax Agent of THE NEW YORK CENTRAL RAILROAD COMPANY, and that it is the petitioner herein, that he has read the foregoing petition and knows the contents thereof; that the same is true to the knowledge of deponents, except as to the matters therein stated to be alleged on information and belief, and that as to those matters it believes to be true.

NEW YORK CENTRAL RAILROAD COMPANY

BY C. H. Morton  
General Land And Tax Agent

Subscribed and sworn to before me  
this 28th day of March, 1956

Rose A. McDonald  
Notary Public, State of New York

The following resolution was offered by Councilman Trojanosky who moved its adoption, seconded by Councilman Kornecki, to wit:..

WHEREAS, the NEW YORK CENTRAL RAILROAD COMPANY, a New York Corporation and EDWARD SEEBURG, have petitioned this Town Board and the Superintendent of Highways of the Town of Cheektowaga, New York to abandon a portion of The Avenue as hereinafter described, and

WHEREAS, said portion of said highway has not been opened and worked as a highway within six years from the time it was dedicated to the use of the public, if dedicated at all, and has never been so opened and worked as a highway at any time, and

WHEREAS, the NEW YORK CENTRAL RAILROAD COMPANY and EDWARD SEEBURG are the owners of the land abutting on said highway which is sought to be closed. The abandonment of the said portion of said highway hereinafter described does no interfere in any way with right of ingress and egress of any property owner owning property on The Avenue,

NOW, THEREFORE

BE IT RESOLVED, that that portion of the Avenue commencing at the right-of-way of the New York Central Railroad Company and extending in a southerly direction from said New York Central Railroad Company right-of-way a distance of 275 feet on the west side of The Avenue and a distance of 306 feet on the east side of The Avenue, be and the same is hereby abandoned as a highway in accordance with the provisions of Section 205 of the Highway law of the State of New York and this Town Board does hereby consent that the Superintendent of Highways of the Town shall execute, file and record in the Town Clerk's Office a written description of said abandoned highway, signed by him and by this Town Board.

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

|            |                      |        |     |
|------------|----------------------|--------|-----|
| Supervisor | Benedict T. Holtz,   | Voting | Aye |
| Councilman | Joseph A. Neibert,   | Voting | Aye |
| Councilman | Stanley R. Bystrak,  | Voting | Aye |
| Councilman | Felix T. Wroblewski, | Voting | Aye |
| Councilman | Henry J. Nagel,      | Voting | Aye |
| Councilman | Joseph Kornecki,     | Voting | Aye |
| Councilman | Joseph Trojanosky,   | Voting | Aye |

AYES --7-

NOES -0-

ABSENT -0-

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

IT IS HEREBY CERTIFIED TO by the persons whose names are hereunto subscribed, that the portion of The Avenue commencing at the right-of-way of the New York Central Railroad Company and extending in a southerly direction from said New York Central Railroad Company right-of-way a distance of 275 feet on the west side of The Avenue and a distance of 306 feet on the east side of The Avenue, has been abandoned as a highway, and this certificate is executed in accordance with the provisions of a resolution of the Town Board of Town of Cheektowaga duly adopted on the day of April, 1956.

Dated April , 1956

John J. Zablotny

Superintendent of Highways

Benedict T. Holtz

Supervisor

Henry J. Nagel

Councilman

Felix T. Wroblewski

Councilman

Joseph Kornecki

Councilman

Joseph Trojanosky

Councilman

Stanley P. Bystrak

Councilman

Councilman

Item No. 10 Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, R. AFRUNTI CONSTRUCTION CO., INC. is the owner of the abutting property on Claude Drive, in the Town of Cheektowaga, New York, commencing at a point 10' south and south line of Sub-Lot No. 93 to the north line of Sub-Lot No. 110, filed under N.C. 868, a distance of 500 feet.

Item No. 10 Cont'd. WHEREAS, the party of the second part is desirous of constructing the foundation for a portion of the highway on Claude Drive as above described and has also constructed a sanitary sewer in the said highway and has entered into a contract with the Erie County Water Authority for the construction of a water line in the said portion of the highway, and

WHEREAS, it has been estimated by the Town Highway Superintendent that the cost of placing topping on said highway would not exceed the sum of Five Thousand (\$5,000.00) Dollars, and

WHEREAS, R. AFRUNTI CONSTRUCTION CO., INC., has agreed to place the topping on said highway and complete the same in accordance with the specifications of the Town Highway Department and Town Regulations, be it

RESOLVED, that the TOWN OF CHEEKTOWAGA enter into a contract with R. AFRUNTI CONSTRUCTION CO., INC., which contract is to provide that the said R. AFRUNTI CONSTRUCTION CO., INC., will place the foundation and topping on said street and complete the highway in all respects and in accordance with the specifications of the Town Highway Department and the Regulations of the Town of Cheektowaga, New York, on or before the 1st day of September, 1957 and that the annexed contract hereby approved and the Supervisor is authorized to execute the same for the Town of Cheektowaga, New York, and be it further

RESOLVED, that R. AFRUNTI CONSTRUCTION CO., INC., deposit in cash with the Town of Cheektowaga, the sum of Five Thousand (\$5,000.00) Dollars as security for the faithful performance of the aforementioned contract, and be it further

RESOLVED, that said contract contain a provision that in the event the sum of the Five Thousand (\$5,000.00) Dollars is insufficient to pay the cost of the completion of said highway, then the said R. AFRUNTI CONSTRUCTION CO., INC., agrees to pay any sum required in excess of that amount.

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 | Kornecki,   | Voting | Aye |
| Councilman | Trojanosky, | Voting | Aye |
| Councilman | Neibert,    | Voting | Aye |
| Councilman | Bystrak,    | Voting | Aye |

AYES -7-

NOES -0-

#### AGREEMENT

This agreement made this 16 day of April 1956, by and between the Town of Cheektowaga, a municipal corporation of the State of New York with its office and principal place of business in the County of Erie, State of New York, party of first part and R. Affrunti Construction Co., Inc., a domestic corporation with its offices and principal place of business at 3236 Genesee Street, Cheektowaga, New York, party of the second part;

#### WITNESSETH:

WHEREAS, the party of the second part is the owner of the abutting property on Claude Drive, commencing at a point 10' south of the south line of Sub-Lot No 110, filed under M.C. 868, a distance of 500 feet.

WHEREAS, the party of the second part is desirous of constructing the foundation and the topping for the highway on Claude Drive as above described and has also constructed in said highway a sanitary sewer, and

WHEREAS, the party of the second part has requested the Town of Cheektowaga to accept, as a Town highway Claude Drive as above described and is willing to enter into a contract with the Town of Cheektowaga, New York, to place a foundation and topping on said street and complete the same so that the same will comply with the specifications of the Town Highway Department and the regulations of the Town of Cheektowaga, New York, it is hereby

AGREED, that the party of the second part agrees to place foundation and topping on Claude Drive commencing at a point 10' south of the south line of Sub-Lot No 93 to the north line of Sub-Lot No 110, filed under M.C. 868, a distance of 500 feet. It further agrees, where necessary, to re-construct the foundation of said highway and complete the same so that said highway will conform in every

Item No. 10 cont'd. respect, with the specification of the Town Highway Department and the regulations of the Town of Cheektowaga, New York, it is further

68

UNDERSTOOD AND AGREED, that the party of the second part will furnish the party of the first part a certified check for Five Thousand (\$5,000.00) Dollars payable to the Town of Cheektowaga and the party of the second part will, in all respects, comply with the terms and conditions of this agreement and the accompanying resolution of the Town Board on or before September 1, 1957. In the event that the party of second part fails to live up to the terms and conditions of this Agreement, then the party of the first part is authorized to complete said highway so that the same complies in every respect with the minimum specifications of the Town Highway Department and the regulations of the Town of Cheektowaga, New York, and all expenses incurred by it in completing said highway shall be paid by the party of second part and in the event said sum of Five Thousand (\$5,000.00) Dollars is insufficient to pay such cost, then the party of the second part hereby agrees to pay any sum required in excess of that amount.

Upon filing with the Town Board an excepted copy of this agreement and the certified check for Five Thousand (\$5,000.00) Dollars, it is agreed that the party of the first part hereby accept said highway as Town Highway, subject to the jurisdiction of the Town Highway Superintendent.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

Benedict T. Holtz  
Supervisor Town of Cheektowaga

Russell Affrunti, Pres.  
R. Affrunti Construction Co., Inc.

33  
13

Item No. 11 Councilman Wroblewski moved, seconded by Councilman Neibert, that the Town Clerk be authorized and directed to issue building permits and application processed by the Petitions Committee on 4-7-56/4-14-56, after same have been approved by the Building Inspector.

15

CARRIED AYES -7-

NOES -0-

Item No. 12 Councilman Nagel moved

Resolved that the Binner Road sub-division map prepared by Edwin J. Gaiser, engineer, be approved and ordered filed in the Assessor Clerks office.

Seconded by Councilman Neibert.

30  
13

CARRIED AYES -7-

Item No. 13 Councilman Wroblewski moved

Resolved to re-appoint Michael Malone and Mr. Schwend as temporary employees of the Town Recreation Department to take effect immediately.

Seconded by Councilman Bystrak.

CARRIED AYES -7-

16  
31

Item No. 14 Councilman Nagel moved,

Resolved that the County Highway Superintendent be requested to erect stop signs on the following street:

OFF PINERIDGE

Vera  
Herbert  
Pennock  
Victoria  
Pinewood  
Parkview  
Markus

OFF BEACH ROAD

Yeager  
Duchess  
Mapleview  
Lucille  
Norine  
Hemenway  
Fairvale  
Balbach  
Peinkofer

Seconded by Councilman Kornecki.

CARRIED AYES -7-

9  
41



Item No. 15 Councilman Wroblewski presents the following resolution and moves its adoption:

Resolve that the two weeks from April 30th to May 12th be designated as Town's Clean-up, paint-up and fix-up time. All rubbish to be picked up at the regular garbage collection days. Mr. J. Eberl is to order posters and post conspicuously around the town, advertising residents of this campaign.

Seconded by Councilman Neibert.

42 CARRIED AYES -7-

Item No. 16 Councilman Wroblewski present the following resolution and moves its adoption:

That Robert Osuch, , he be appointed provisionally as grade 2 operator at Disposal Plant #5 at the annual salary of \$4200.00 to be effective immediately.

Seconded by Councilman Trojanosky.

21 CARRIED AYES -7-

Item No. 17 Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that Thomas E. Delahunt be provisionally appointed on a part time basis to assist the Town Attorney, at a yearly salary of \$1,500.00, payable semi-monthly installments.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be mailed to the Personal Director of Erie County to determine whether or not said position is in the competitive class and if so call an examination for said position.

Seconded by Councilman Nagel.

23 CARRIED AYES -7-

Item No. 18 Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVES, that Edward H. Pfohl, Receiver of Taxes and Assessments for the Town of Cheektowaga, New York, be authorized and directed to accept taxes from the County of Erie on County owned property for the year 1956 without fees or additions.

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

|            |             |        |     |
|------------|-------------|--------|-----|
| Supervisor | Holtz,      | Voting | Aye |
| Councilman | Wroblewski, | Voting | Aye |
| Councilman | Neibert,    | Voting | Aye |
| Councilman | Nagel,      | Voting | Aye |
| Councilman | Bystrak,    | Voting | Aye |
| Councilman | Kornecki,   | Voting | Aye |
| Councilman | Trojanosky, | Voting | Aye |

38 CARRIED AYES -7-

Item No. 19 Councilman Trojanosky presented the following resolution and moved its adoption:

WHEREAS, the Town Engineer has recommended that it is necessary to build a dyke at Disposal Plant No. 3, due to the rise of water in Cayuga Creek.

BE IT RESOLVED, that the Town Enginner be authorized to enter into a contract for the erection of said dyke at a cost not to exceed \$800.00.

Seconded by Councilman Wroblewski.

CARRIED AYES -6-

Item No. 20 Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the Temple Baptist Church has requested a push button signal to be instatted at the intersection of Mt. Vernon Road and Cleveland Drive in the Town of Cheektowaga, New York, and

WHEREAS, Cleveland Drive is a county highway;

BE IT RESOLVED, that the Erie County Highway Superintendent be requested to grant permission to install a push button signal at the intersection of Mt. Vernon Road and Cleveland Drive.

Seconded by Councilman Kornecki.

CARRIED AYES -7-

Item No. 21 Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the Supervisor be authorized to purchase from Westinghouse Electric Corporation twelve (12) No. 1348 Lighting standards; six (6) Y-19 Lighting Standards and six (6) Y-20 Lighting Standards to be held in reserve for replacement purposes.

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

|            |                      |        |     |
|------------|----------------------|--------|-----|
| Supervisor | Benedict T. Holtz,   | Voting | Aye |
| Councilman | Henry J. Nagel,      | Voting | Aye |
| Councilman | Felix T. Wroblewski, | Voting | Aye |
| Councilman | Joseph A. Neibert,   | Voting | Aye |
| Councilman | Stanley R. Bystrak,  | Voting | Aye |
| Councilman | Joseph Trojanosky,   | Voting | Aye |
| Councilman | Joseph Kornecki,     | Voting | Aye |

AYES -7-

NOES -0-

ABSENT -0-

Item No. 22 Councilman Bystrak moved, Seconded by Councilman Wroblewski, that the New York State Electric & Gas Company be authorized and directed to erect a street light (2500) lumen on Walden Terrace in the Town of Cheektowaga, New York. (wooden Pole type)

CARRIED AYES -7-

Item No. 23 Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the New York State Electric & Gas Corporation be authorized to install one (1) 2500 Lumen light on Pole No. 3 and one (1) 2500 Lumen light on Pole No. 5 both poles being situated on Pleasant Pkwy. and be it further

RESOLVED, that the New York State Electric & Gas Corporation be authorized to install one (1) 2500 Lumen light on Pole No. 6 existing on Shanley Street.

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

|            |                      |        |     |
|------------|----------------------|--------|-----|
| Supervisor | Benedict T. Holtz,   | Voting | Aye |
| Councilman | Joseph A. Neibert,   | Voting | Aye |
| Councilman | Felix T. Wroblewski, | Voting | Aye |
| Councilman | Henry J. Nagel,      | Voting | Aye |
| Councilman | Stanley R. Bystrak,  | Voting | Aye |
| Councilman | Joseph Trojanosky,   | Voting | Aye |
| Councilman | Joseph Kornecki,     | Voting | Aye |

AYES -7-

NOES -0-

ABSENT -0-

Item No. 24 Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the Niagara Mohawk Power Corporation be authorized to install ten (10) 2500 Lumen pole-type lighting standards on Crescent Court, and be it further

RESOLVED, that 2500 Lumen lights be installed on existing poles No. 1380 and 1360 situated in Old Walden Avenue.

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

|            |                      |        |     |
|------------|----------------------|--------|-----|
| Supervisor | Benedict T. Holtz,   | Voting | Aye |
| Councilman | Henry J. Nagel,      | Voting | Aye |
| Councilman | Felix T. Wroblewski, | Voting | Aye |
| Councilman | Joseph A. Neibert,   | Voting | Aye |
| Councilman | Stanley R. Bystrak,  | Voting | Aye |
| Councilman | Joseph Trojanosky,   | Voting | Aye |
| Councilman | Joseph Kornecki,     | Voting | Aye |

AYES -7- NOES -0-



Item No. 25 This being the time and 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 the order of the Supervisor, such proof was duly filed.

PUBLIC HIGHWAYS TO BE IMPROVED

| NAMES OF HIGHWAYS   | FROM          | TO                |
|---------------------|---------------|-------------------|
| Melcourt Drive west | Cameron Road, | End of the street |

TYPE OF STREET LIGHTING INSTALLATION

Six Y-19 Stands Under-ground 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

| NAME OF HIGHWAYS    | FROM         | TO                |
|---------------------|--------------|-------------------|
| Melcourt Drive west | Cameron Road | End of the street |

TYPE OF STREET LIGHTING INSTALLATION

Six Y-19 Standard-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 installations of such street lighting equipment along said highways is hereby authorized and that the Supervisor and the Town Attorney are hereby authorized and directed to have the installation of said street lighting equipment made by the utility company supplying electrical service to the locality in which the said public highways are located, under such contracts as may be required to effectuate such installation and as approved by the said Town Attorney, and

BE IT FURTHER RESOLVED, that the Town Clerk shall cause a certified copy of this resolution to be recorded in the Office of the Clerk of Erie County, New York, within 10 days after the adoption hereof, in conformity with Section 195 of the Town Law.

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

|            |             |        |     |
|------------|-------------|--------|-----|
| Supervisor | Holtz,      | Voting | Aye |
| Councilman | Wroblewski, | Voting | Aye |
| Councilman | Kornecki,   | Voting | Aye |
| Councilman | Trojanosky, | Voting | Aye |
| Councilman | Neibert,    | Voting | Aye |
| Councilman | Bystrak,    | Voting | Aye |
| Councilman | Nagel,      | Voting | Aye |

AYES -7-

NOES -0-

ABSENT -0-

Item No. 26 Councilman Bystrak moved, seconded by Councilman Nagel, that the Supervisor be authorized and directed to purchase from Westinghouse Electric Corporation Six Y-19 Light Standards to be used on Melcourt Drive West, from Cameron Road to the end of the street.

CARRIED AYES -7-

Item No. 27 This being the time and 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 the order of the Supervisor, such proof was duly filed. 70

PUBLIC HIGHWAYS TO BE IMPROVED

| NAME OF HIGHWAYS   | FROM        | TO                |
|--------------------|-------------|-------------------|
| West Chester Drive | Harlem Road | Ridge Park Avenue |

TYPE OF STREET LIGHTING INSTALLATION

Eight Y-20 Standard-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              |
|--------------------|-------------|-----------------|
| West Chester Drive | Harlem Road | Pine Ridge Road |

TYPE OF STREET LIGHTING INSTALLATION

Eight Y-20 Standards-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 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 10 days after the adoption hereof, in conformity with Section 195 of the Town Law.

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

|            |             |        |     |
|------------|-------------|--------|-----|
| Supervisor | Holtz,      | Voting | Aye |
| Councilman | Nagel,      | Voting | Aye |
| Councilman | Wroblewski, | Voting | Aye |
| Councilman | Kornecki,   | Voting | Aye |
| Councilman | Trojanosky, | Voting | Aye |
| Councilman | Neibert,    | Voting | Aye |
| Councilman | Bystrak,    | Voting | Aye |

AYES -7-

NOES -0-

ABSENT -0-

27

Item No. 28 Councilman Bystrak moved, Seconded by Councilman Nagel, that the Supervisor be authorized and directed to purchase from Westinghouse Electric Corporation Eight Y-20 Standards to be used on West Chester Drive from Harlem Road to Ridge park Avenue.

CARRIED AYES -7-

27

Item No. 29 This being the time and 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 the order of the Supervisor, such proof was duly filed.

PUBLIC HIGHWAYS TO BE IMPROVED

| NAMES OF HIGHWAYS | FROM          | TO            |
|-------------------|---------------|---------------|
| Alpine Place      | Herbert Place | Pennock Place |

TYPE OF STREET LIGHTING INSTALLATION

Seven No. 1348 Standards-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 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            |
|-------------------|---------------|---------------|
| Alpine Place      | Herbert Place | Pennock Place |

TYPE OF STREET LIGHTING INSTALLATION

Seven No. 1348 Standards-Underground Conduit  
and heard all person interested in the subject therof:

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 installations of said street lighting equipment made by the utility company supplying electrical service to the locality in which the said public highways are located, under such contracts as may be required to effectuate such installation and as approved by the said Town Attorney and

BE IT FURTHER RESOLVED, that the Town Clerk shall cause a certified copy of this resolution to be recorded in the office of the Clerk of Erie County, New York, within 10 days after the adoption hereof, in conformity with Section 195 of the Town Law.

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

|            |            |        |            |
|------------|------------|--------|------------|
| Councilman | Nagel      | Voting | <u>Aye</u> |
| Councilman | Wroblewski | Voting | <u>Aye</u> |
| Councilman | Kornecki   | Voting | <u>Aye</u> |
| Councilman | Trojanosky | Voting | <u>Aye</u> |
| Councilman | Neibert    | Voting | <u>Aye</u> |
| Councilman | Bystrak    | Voting | <u>Aye</u> |
| Supervisor | Holtz      | Voting | <u>Aye</u> |

AYES -7-

NCES -0-

ABSENT -0-

Item No. 30 Councilman Bystrak moved, seconded by Councilman Nagel, that the Supervisor be authorized and directed to purchase from Westinghouse Manufacturing Corporation Seven No. 1348 Street Light Standards to be used on Alpine Place from Herbert Place to Pennock Place.

CARRIED AYES -7-

WHEREAS, this Town Board has heretofore determined it to be in the public interest to make improvements in Wallace Avenue, Oriole Place and Ludwig Avenue by the construction of lateral sewers in accordance with the plans and specifications prepared by Nussbaumer Clarke and Velzy, Consulting Engineers, on file in the Town Clerks' Office, and

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

NOW, THEREFORE, BE IT RESOLVED, that sealed proposals be invited for the furnishing of labor and materials necessary for the doing of the work for the construction of said improvements in Wallace Avenue, Oriole Place and Ludwig Avenue in accordance with said plans, specifications, estimates and proposed contracts heretofore approved by the publication of a Notice thereof at least once in the Depew Herald & Cheektowaga News and the Cheektowaga Sun, newspapers having a general circulation in the Township, requiring each person who shall offer to do said work to file a sealed proposal or offer to do the work with a certified check in the sum of Five Hundred Dollars (\$500.00) or a Bond with sufficient sureties to be approved by the Supervisor in the sum of Five Hundred Dollars (\$500.00) conditioned that if his proposal shall be accepted, he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the contract, and be it further

RESOLVED, that sealed proposals be received and considered publicly at a meeting of the Town Board of the Town of Cheektowaga, New York at the Town Hall in said Town of Cheektowaga on the 7th day of May, 1956, at 2:30 o'clock P.M., E.D.S.T., and be it further

RESOLVED, that said Notice to Contractors be in substantially the following form, to wit:

**NOTICE TO CONTRACTORS  
NOTICE IS HEREBY GIVEN**

that pursuant to a resolution of the Town Board of the Town of Cheektowaga, New York, sealed proposals shall be received and considered by said Town Board on the 7th day of May, 1956, at 2:30 o'clock P.M., Daylight Saving Time, at a meeting of the Town Board in the Town Hall in the Town of Cheektowaga, Erie County, New York, for the furnishing of all materials and equipment together with all labor for the construction of certain improvements to the Sanitary Sewer System, to consist of the installation of sanitary sewers and appurtenances on the following streets:

Ludwig Avenue - District No. 3  
Wallace Street and Broadway -  
District No. 3

Oriole Place District No. 5

All in accordance with proposed contract documents, plans, profiles, drawings, instructions to bidders, specifications, and estimates for said construction, prepared by

Nussbaumer, Clarke & Velzy, Consulting Engineers for the Town of Cheektowaga, and approved by the Town Board of said Town, all of which are on file with the Town Clerk at his office in the Town Hall of said Town, where same may be examined during the usual business hours. Copies of the proposed contracts, plans, profiles, drawings, instructions to bidders, specifications and estimates may also be examined at the office of Nussbaumer, Clarke & Velzy, Consulting Engineers, of the Town of Cheektowaga, at 327 Franklin Street, Buffalo, New York. One copy of said proposed contracts, plans, profiles, drawings, instructions to bidders, specifications and estimates may be obtained upon payment of \$20.00.

Any bidder, upon returning such copy in good condition within thirty days following the award of the contracts or the rejection of bid of such bidder, will be refunded \$20.00 and any non-bidder, upon return of such copy will be refunded \$10.00.

Each proposal shall be accompan-

ied by a certified check payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga, or a bond with sufficient sureties to be approved by the Town Attorney, in the sum of One Thousand and Five Hundred Dollars (\$1,500). If a bond is submitted, the same shall be conditioned, that if the bidder's proposal is accepted, he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the contract. The Town Board reserves the right to reject any and all bids and proposals and to advertise anew and to award one contract for the entire work or separate contract for the entire work or separate contract for portions thereof, if in its judgment it shall deem it to be for the best interests of the Town to do so.

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

Dated: April 16, 1956.

KENNETH T. HANLEY,  
Town Clerk

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

|                       |        |     |
|-----------------------|--------|-----|
| Councilman Nagel      | Voting | AYE |
| Councilman Wroblewski | "      | "   |
| Councilman Kornecki   | "      | "   |
| Councilman Trojanosky | "      | "   |
| Councilman Neibert    | "      | "   |
| Councilman Bystrak    | "      | "   |
| Supervisor Holtz      | "      | "   |

AYES: -7-

NAYES: -0- CARRIED.

Hereto attached is a copy of the Notice published in the Depew Herald-Cheektowaga News:

STATE OF NEW YORK  
COUNTY OF ERIE

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 one week, the first insertion being on the 19th day of April, 1956, and the last insertion being on the 19th day of April, 1956, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this \_\_\_\_\_ day of

APR 23 1956

19

*Keneth T. Hanley*

Notary Public in and for Erie County

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

|                       | Voting | AYE |
|-----------------------|--------|-----|
| Councilman Nagel      | "      | "   |
| Councilman Wroblewski | "      | "   |
| Councilman Kornecki   | "      | "   |
| Councilman Trojanosky | "      | "   |
| Councilman Neibert    | "      | "   |
| Councilman Bystrak    | "      | "   |
| Supervisor Holtz      | "      | "   |

AYES: -7-

NAYES: -0- CARRIED.

Hereto attached is a copy of the ~~Notice~~  
Depew Herald-Cheektowaga

STATE OF NEW YORK  
COUNTY OF ERIE

IN SENATE,  
January 18, 1956.  
Presented to a resolution of the  
Town Board of the Town of Cheektowaga,  
New York, sealed proposal  
received and considered by  
Town Board on the 7th day of  
1956, at 2:30 o'clock P.M.  
Savings Time, at a meet-  
ing of the Town Board in the  
Town Hall in the Town of Cheektowaga,  
Erie County, New York,  
the furnishing of all materials  
equipment together with all  
for the construction of cer-  
tain improvements to the Sanitary  
System, to consist of the in-  
stallation of sanitary sewers and  
manholes on the following

Maple Avenue - District No. 3  
Albion Street and Broadway -  
District No. 3

Maple Place District No. 5

In accordance with proposed  
contract documents, plans, profiles,  
drawings, instructions to bidders,  
specifications, and estimates for  
construction, prepared by  
Nussbaumer, Clarke & Veky, Con-  
sulting Engineers for the Town of  
Cheektowaga, and approved by the  
Board of said Town, all of  
which are on file with the Town  
at his office in the Town Hall  
said Town, where same may be  
examined during the usual business  
hours. Copies of the proposed con-  
tract, plans, profiles, drawings, in-  
structions to bidders, specifications  
and estimates may also be exam-  
ined at the office of Nussbaumer,  
Clarke & Veky, Consulting Engineer-  
s, of the Town of Cheektowaga,  
227 Franklin Street, Buffalo,  
New York. One copy of said pro-  
posed contracts, plans, profiles,  
drawings, instructions to bidders,  
specifications and estimates may be  
obtained upon payment of \$20.00.  
Any bidder, upon returning such  
copy in good condition within thirty  
days following the award of the  
contract or the rejection of bid  
of such bidder, will be refunded  
\$20.00 and any non-bidder, upon re-  
turn of such copy will be refunded  
\$20.00.

Each proposal shall be accompan-  
ied by a certified check payable to  
the order of Benedict T. Holtz, Su-  
pervisor of the Town of Cheektowaga,  
or a bond with sufficient sur-  
ties to be approved by the Town  
Attorney, in the sum of One Thou-  
sand Five Hundred Dollars (\$1,500).  
If a bond is submitted, the same  
shall be conditioned, that if the bid-  
der's proposal is accepted, he will  
enter into a contract for the same  
and that he will execute such fur-  
ther security as may be required  
for the faithful performance of the  
contract. The Town Board reserves  
the right to reject any and all bids  
and proposals and to advertise  
new and to award one contract  
for the entire work or separate  
contract for the entire work or  
separate contract for portions  
thereof, if in its judgment it shall  
deem it to be for the best interests  
of the Town to do so.

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

Dated: April 18, 1956.

KENNETH T. HANLEY,

Hereto attached is a copy of the Notice published in the Cheektowaga Sun:

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

**NOTICE TO CONTRACTORS**  
**NOTICE IS HEREBY GIVEN**  
that pursuant to a resolution of the Town Board of the Town of Cheektowaga, New York, sealed proposals shall be received, and considered by said Town Board on the 7th day of May, 1956, at 2:30 o'clock, P.M., Daylight Saving Time, at a meeting of the Town Board in the Town Hall in the Town of Cheektowaga, Erie County, New York, for the furnishing of all materials and equipment together with all labor for the construction of certain improvements to the Sanitary Sewer System, to consist of the installation of sanitary sewers and appurtenances on the following streets:  
Ludwig Avenue — District No. 3.  
Wallace Street and Broadway — District No. 3.  
Osgood Place — District No. 3.  
All in accordance with proposed contract documents, plans, profiles, drawings, instructions to bidders, specifications, and estimates for said construction, prepared by Nussbaumer, Clarke & Velzy, Consulting Engineers for the Town of Cheektowaga, and approved by the Town Board of said Town, all of which are on file with the Town Clerk at his office in the Town Hall of said Town, where same may be examined during the usual business hours. Copies of the proposed contracts, plans, profiles, drawings, instructions to bidders, specifications and estimates may also be examined at the office of Nussbaumer, Clarke & Velzy, Consulting Engineers, of the Town of Cheektowaga, at 327 Franklin Street, Buffalo, New York. One copy of said proposed contracts, plans, profiles, drawings, instructions to bidders, specifications and estimates may be obtained upon payment of \$20.00. Any bidder, upon returning such copy in good condition

EDWIN K. GROSS

being duly sworn, deposes and says that he is the

PUBLISHER

of

## The Cheektowaga Sun

a public newspaper published in the Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 21st day of April, 1956, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*Edwin K. Gross*

Sworn to before me this 24th day of

April, 1956

*Kenneth T. Hanley*

Notary Public in and for Erie County

Hereby attached is a copy of the Notice published in the Cheektowaga Sun:

STATE OF NEW YORK  
COUNTY OF ERIE

**NOTICE TO CONTRACTORS**  
**NOTICE IS HEREBY GIVEN** that pursuant to a resolution of the Town Board of the Town of Cheektowaga, New York, sealed proposals shall be received, and considered by said Town Board on the 7th day of May, 1956, at 2:30 o'clock, P.M., Daylight Saving Time, at a meeting of the Town Board in the Town Hall in the Town of Cheektowaga, Erie County, New York, for the furnishing of all materials and equipment together with all labor for the construction of certain improvements to the Sanitary Sewer System, to consist of the installation of sanitary sewers and appurtenances on the following streets:

Ludwig Avenue — District No. 3.  
Wallace Street and Broadway — District No. 2.

Oriele Place — District No. 5.  
All in accordance with proposed contract documents, plans, profiles, drawings, instructions to bidders, specifications, and estimates for said construction, prepared by Nussbaumer, Clarke & Velzy, Consulting Engineers for the Town of Cheektowaga, and approved by the Town Board of said Town, all of which are on file with the Town Clerk at his office in the Town Hall of said Town, where same may be examined during the usual business hours. Copies of the proposed contracts, plans, profiles, drawings, instructions to bidders, specifications and estimates may also be examined at the office of Nussbaumer, Clarke & Velzy, Consulting Engineers, of the Town of Cheektowaga, at 327 Franklin Street, Buffalo, New York. One copy of said proposed contracts, plans, profiles, drawings, instructions to bidders, specifications and estimates may be obtained upon payment of \$20.00. Any bidder, upon returning such copy in good condition within thirty days following the award of the contracts or the rejection of bid of such bidder, will be refunded \$20.00 and any non-bidder, upon return of such copy will be refunded \$10.00.

Each proposal shall be accompanied by a certified check payable to the order of Benedict T. Heltz, Supervisor of the Town of Cheektowaga, or a bond with sufficient sureties to be approved by the Town Attorney, in the sum of One Thousand Five Hundred Dollars (\$1,500). If a bond is submitted, the same shall be conditioned, that if the bidder's proposal is accepted, he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the contract. The Town Board reserves the right to reject any and all bids and proposals and to advertise anew and to award one contract for the entire work or separate contract for portions thereof, if in its judgment it shall deem it to be for the best interests of the Town to do so.

By order of the Town Board of the Town of Cheektowaga,  
KENNETH T. HANLEY,  
Town Clerk.  
Dated: April 16, 1956.



Item No. 32 Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, the Town Board has heretofore determined to undertake the improvement of the Town Park located on Harlem Road, by the construction therein of a concrete wading pool and appurtenances and it has directed the preparation of necessary plans, drawings and specifications by Nussbaumer Clarke and Vezly, Consulting Engineers, which plans, drawings and specifications have been examined by this Town Board and approved by it and are now on file with the Town Clerk, and

WHEREAS, it is in order that sealed proposals be advertised for and received by this Board for the performance of said work,

NOW, THEREFORE, BE IT RESOLVED, that said sealed proposals be received and considered by this Town Board on the 7th day of May, 1956, at 2:30 o'clock P.M., E.D.S.T., at a meeting to be held in the Town Hall in the said Town of Cheektowaga, New York, and be it further

RESOLVED, that the following Notice to Contractors be published in the Depew Herald-Cheektowaga News and the Cheektowaga Sun once, and that the Town Clerk arrange for such publication.

Hereto attached is a copy of the Notice to Bidders:

#### NOTICE TO CONTRACTORS

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Cheektowaga, New York, sealed proposals shall be received, and considered by said Town Board on the 7th day of May, 1956, at 2:30 o'clock, P.M., Daylight Saving Time, at a meeting of the Town Board in the Town Hall in the Town of Cheektowaga, Erie County, New York, for the furnishing of all materials and equipment together with all labor for the construction of a Concrete Wading Pool and appurtenances in the Cheektowaga Town Park at Harlem Road and Central Boulevard in the Town of Cheektowaga.

All in accordance with proposed contract documents, plans, profiles, drawings, instructions to bidders, specifications, and estimates for said construction, prepared by Nussbaumer, Clarke & Vezly, Consulting Engineers for the Town of Cheektowaga, and approved by the Town Board of said Town, all of which are on file with the Town Clerk at his office in the Town Hall of said Town, where the same may be examined during the usual business hours. Copies of the proposed contracts, plans, profiles, drawings, instructions to bidders, specifications and estimates may also be examined at the office of Nussbaumer, Clarke & Vezly, Consulting Engineers, of the Town of Cheektowaga, at 327 Franklin Street, Buffalo, New York. One copy of said proposed contracts, plans, profiles, drawings, instructions to bidders, specifications and estimates may be obtained upon payment of \$20.00. Any bidder, upon returning such copy in good condition within thirty days following the award of the contracts or the rejection of bid of such bidder, will be refunded \$20.00 and any non-bidder, upon return of such copy will be refunded \$10.00.

Each proposal shall be accompanied by a certified check payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga, or a bond with sufficient sureties to be approved by the Town Attorney, in the sum of One Thousand Five Hundred Dollars (\$1,500). If a bond is submitted, the same shall be conditioned, that if the bidder's proposal is accepted, he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the contract. The Town Board reserves the right to reject any and all bids and proposals and to advertise anew and to award one contract for the entire work or separate contract for portions thereof, if in its judgment it shall deem it to be for the best interests of the Town to do so.

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

KENNETH T. HANLEY,

Town Clerk.

Dated: April 16, 1956.

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

|                       |            |
|-----------------------|------------|
| Councilman Nagel      | Voting AYE |
| Councilman Wroblewski | " "        |
| Councilman Kornecki   | " "        |
| Councilman Trojanosky | " "        |
| Councilman Neibert    | " "        |
| Councilman Bystrak    | " "        |
| Supervisor Holtz      | " "        |

AYES:-7-

NAYES: -0-

CARRIED.

Hereto attached is a copy of the Notice published in the Depew Herald-Cheektowaga News:

...by bettering...

Democrats are... in...  
Congress... than the July...  
...mentioned... by...  
...makers... Reason, any Republican...  
...is that the Democrats figure...  
...the sooner Congress is adjourned the...  
...chance the Republican ad-  
...ministration will have to get its...  
...programs into law.

**Capital Duty**

Q. Joseph Franklin, Frankfort,  
Ky.: Has a vice president who has  
served two terms ever been elected  
president?

A. Yes, only once. He was John  
Adams. There were others who ad-  
vanced to the White House, but it  
was due to a President's death --  
...section.

**BEFORE DISASTER  
STRIKES:** Where to find safe  
water, how to turn off water ser-  
vice valve, how to purify water,  
what foods to store and how to pre-  
pare them, what foods are unsafe,  
how to dispose of garbage, how to  
dispose of human waste, what to  
do with frozen foods and what  
necessary equipment and food that  
you should have on hand. In case  
of real trouble this knowledge can  
mean the difference between life  
and death.

**DO IT YOURSELF!  
WE RENT**

- Lawn Rollers
- Spreaders

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  
..... *one* .. week, the first insertion being on the  
..... *3rd* day of ..... *May* .., 19*56* and  
the last insertion being on the ..... *3rd* day of  
..... *May* .., 19*56*, and that not  
more than six days intervened between any two publi-  
cations thereof.

*Richard G. Bennett*

Sworn to before me this ..... day of

*May 4* 19*56*

19.....

*Kenneth P. Brady*  
Notary Public in and for Erie County

hn 11096-C8

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

|                       |        |     |
|-----------------------|--------|-----|
| Councilman Nagel      | Voting | AYE |
| Councilman Wroblewski | "      | "   |
| Councilman Kornecki   | "      | "   |
| Councilman Trojanosky | "      | "   |
| Councilman Neibert    | "      | "   |
| Councilman Bystrak    | "      | "   |
| Supervisor Holtz      | "      | "   |

AYES:-7-

NAYES: -0-

CARRIED.

Hereto attached is a copy of the Notice published in the Depew Herald-Cheektowaga News:

STATE OF NEW YORK  
COUNTY OF ERIE

Notice is hereby given that the Town Board of the Town of Cheektowaga, New York, will receive and consider proposals for the construction of a Community Wading Pool and appurtenances in the Cheektowaga Town Hall at Harlem Road and Central Avenue in the Town of Cheektowaga.

All in accordance with proposed contract documents, plans, profiles, drawings, instructions to bidders, specifications, and estimates for the construction prepared by Nussbaumer, Clarke & Veley, Consulting Engineers for the Town of Cheektowaga, and approved by the Town Board of said Town, all of which are on file with the Town Clerk at his office in the Town Hall of said Town where the same may

be examined during the usual business hours. Copies of the proposed contracts, plans, profiles, drawings, instructions to bidders, specifications and estimates may also be examined at the office of Nussbaumer, Clarke & Veley, Consulting Engineers, at the Town of Cheektowaga, at 327 Franklin Street, Buffalo, New York. One copy of said proposed contracts, plans, profiles, drawings, instructions to bidders, specifications and estimates may be obtained upon payment of \$20.00. Any bidder, upon returning such copy in good condition within thirty days following the award of the contracts or the rejection of bid of such bidder, will be refunded \$20.00 and any non-bidder, upon return of such copy will be refunded \$10.00.

Each proposal shall be accompanied by a certified check payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga, or a bond with sufficient sureties to be approved by the Town Attorney, in the sum of One Thousand Five Hundred Dollars (\$1,500). If a bond is submitted, the same shall be conditioned, that if the bidder's proposal is accepted, he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the contract. The Town Board reserves the right to reject any and all bids and proposals and to advertise anew and to award one contract for the entire work or separate contract for portions thereof, if in its judgment it shall deem it to be for the best interests of the Town to do so.

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

KENNETH T. HATLEY,

Town Clerk

Dated: April 16, 1956.

my3

Sworn to before me this

MAY 4 1956

*Kenneth*

Notary

hn 11096-CB

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

NOTICE TO CONTRACTORS  
NOTICE IS HEREBY GIVEN  
that pursuant to a resolution of  
the Town Board of the Town of  
Cheektowaga, New York, sealed  
proposals shall be received, and  
considered by said Town Board  
on the 7th day of May, 1956,  
at 2:30 o'clock, P.M., Daylight  
Saving Time, at a meeting of the  
Town Board in the Town Hall in  
the Town of Cheektowaga, Erie  
County, New York, for the fur-  
nishing of all materials and  
equipment together with all labor  
for the construction of a Con-  
crete Wading Pool and appur-  
tenances in the Cheektowaga  
Town Park at Harlem Road and  
Central Boulevard in the Town  
of Cheektowaga.

in accordance with pro-

Butler, N.Y.C. attorney. — (Photo by  
as Campbell, assistant to the pres-  
er, assistant chief engineer, New  
K/Manager of the Cheektowaga  
Cheektowaga and West Buffalo  
ated from the Cheektowaga con-  
of the Cheektowaga and West Buffalo  
of the Cheektowaga and West Buffalo  
of the Cheektowaga and West Buffalo

tells its story



EDWIN K. GROSS

being duly sworn, deposes and says that he is the

PUBLISHER

of

## The Cheektowaga Sun

a public newspaper published in the Town of Cheektowaga,  
Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
one week, the first insertion being on the  
21st day of April, 1956, and  
the last insertion being on the \_\_\_\_\_ day of  
\_\_\_\_\_, 19\_\_\_\_, and that not  
more than six days intervened between any two publi-  
cations thereof.

Edwin K. Gross

Sworn to before me this 24th day of

April, 1956

James T. Hough

Notary Public in and for Erie County

STATE OF NEW YORK  
COUNTY OF ERIE

**NOTICE TO CONTRACTORS**  
**NOTICE IS HEREBY GIVEN**  
that pursuant to a resolution of the Town Board of the Town of Cheektowaga, New York, sealed proposals shall be received, and considered by said Town Board on the 7th day of May, 1956, at 2:30 o'clock, P.M., Daylight Saving Time, at a meeting of the Town Board in the Town Hall in the Town of Cheektowaga, Erie County, New York, for the furnishing of all materials and equipment together with all labor for the construction of a Concrete Wading Pool and appurtenances in the Cheektowaga Town Park at Harlem Road and Central Boulevard in the Town of Cheektowaga.

All in accordance with proposed contract documents, plans, profiles, drawings, instructions to bidders, specifications, and estimates for said construction, prepared by Nussbaumer, Clarke & Velry, Consulting Engineers for the Town of Cheektowaga, and approved by the Town Board of said Town, all of which are on file with the Town Clerk at his office in the Town Hall of said Town, where the same may be examined during the usual business hours. Copies of the proposed contracts, plans, profiles, drawings, instructions to bidders, specifications and estimates may also be examined at the office of Nussbaumer, Clarke & Velry, Consulting Engineers, of the Town of Cheektowaga, at 327 Franklin Street, Buffalo, New York. One copy of said proposed contracts, plans, profiles, drawings, instructions to bidders, specifications and estimates may be obtained upon payment of \$20.00. Any bidder, upon returning such copy in good condition within thirty days following the award of the contracts or the rejection of bid of such bidder, will be refunded \$20.00 and any non-bidder, upon return of such copy will be refunded \$10.00.

Each proposal shall be accompanied by a certified check payable to the order of Benedict T. Holts, Supervisor of the Town of Cheektowaga, or a bond with sufficient sureties to be approved by the Town Attorney, in the sum of One Thousand Five Hundred Dollars (\$1,500). If a bond is submitted, the same shall be conditioned, that if the bidder's proposal is accepted, he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the contract. The Town Board reserves the right to reject any and all bids and proposals and to advertise anew and to award one contract for the entire work or separate contract for portions thereof, if in its judgment it shall deem it to be for the best interests of the Town to do so.

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

KENNETH T. HANLEY,  
Town Clerk.

Dated: April 16, 1956.

Item No. 33

Councilman Neibert presented the following resolution and moved its adoption:

74

WHEREAS, the Parks Department has notified the Town Board that they are in need of one (1) Industrial Tractor with side mounted sickle bar mower, be it  
RESOLVED, that this request be granted and that the Town Clerk be directed to publish the annexed notice to bidders in the Depew Herald-Cheektowaga News, having a circulation in the Town of Cheektowaga in connection with the said industrial tractor, and be it further

RESOLVED, that the Town Board meet on the 7th day of May, 1956, at 2:30 o'clock P.M., E.D.S.T., at the Town Hall, Broadway and Union Road, Cheektowaga, New York, for the purpose of receiving sealed bids at which time they will be publicly opened by the Town Board at a public meeting called for that purpose.

Seconded by Councilman Nagel.

CARRIED: AYES: -7-.

Hereto attached is a copy of the specifications:

1. The tractor shall be a new model, with a side mounted sickle bar mower, and a minimum horsepower of 1500 h.p. minimum.  
2. The tractor shall be a new model, with a side mounted sickle bar mower, and a minimum horsepower of 1500 h.p. minimum.  
3. The tractor shall be a new model, with a side mounted sickle bar mower, and a minimum horsepower of 1500 h.p. minimum.  
4. The tractor shall be a new model, with a side mounted sickle bar mower, and a minimum horsepower of 1500 h.p. minimum.  
5. The tractor shall be a new model, with a side mounted sickle bar mower, and a minimum horsepower of 1500 h.p. minimum.  
6. The tractor shall be a new model, with a side mounted sickle bar mower, and a minimum horsepower of 1500 h.p. minimum.  
7. The tractor shall be a new model, with a side mounted sickle bar mower, and a minimum horsepower of 1500 h.p. minimum.  
8. The tractor shall be a new model, with a side mounted sickle bar mower, and a minimum horsepower of 1500 h.p. minimum.  
9. The tractor shall be a new model, with a side mounted sickle bar mower, and a minimum horsepower of 1500 h.p. minimum.  
10. The tractor shall be a new model, with a side mounted sickle bar mower, and a minimum horsepower of 1500 h.p. minimum.

**SPECIFICATIONS FOR INDUSTRIAL TRACTOR  
WITH SIDEMOUNTED SICKLE BAR MOWER  
ONE (1) REQUIRED**

**PAPER DEPARTMENT**

---

One (1) 1956 Industrial Tractor equipped with a side mounted sickle bar type mower in accordance with the following specifications:

1. **ENGINE** - 26 Horsepower minimum at 1500 r.p.m.  
4 Cylinder replaceable wet sleeve type  
140 cu. in. minimum displacement  
Valve-in-head design
2. **TRAVEL SPEEDS** - 4 forward, 1 reverse
3. **TRACTOR** - Drawbar pull - 3000# minimum  
Front Tire - 600 x 16, 6 ply ribbed  
Rear Tire - 1000 x 14, 4 ply industrial  
Brakes - Individual with interlock and parking  
Ground Clearance - 12" minimum  
Power Take-off - side and rear  
Hitch on rear to haul gang mowers
4. **SICKLE BAR MOWER** - Hydraulic Type  
Cutter Bar - 3" heavy duty rock guards  
Outer shoe, heavy duty with divider rods  
Inner shoe, hardened ground wear plate  
Top, bottom, front and rear knife head adjustments  
for completely guided knife head.  
Operating Range - cutter bar angle - 45 deg. to + 90 deg.  
Curb Lift - 14"  
Carriage automatic, positive, pin lock bar, heavy duty chain.  
  
Knife - 3" H.D. section (under serrated)  
Top and bottom, full length backing strips.  
  
Knife Head - Heavy duty, double ribbed.  
  
Hydraulic System - Pump 18 gpm at 1000 psi at 1200 r.p.m. minimum  
Motor - 10 H.P. at 950 r.p.m. at above input.  
Valve - Sectional with single master relief valve.  
Operating Pressure - 850-1000 psi.  
  
Pitman - RPM - 950  
Maximum angularity with knife - 10 deg.  
Pitman arm length adjustable for knife register.

**NOTICE TO BIDDERS**

The Town of Cheektowaga hereby requires separate sealed bids for one (1) Industrial Tractor with side mounted sickle bar mower, for use in the Parks Department.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file.

Copies of the specifications are made available for all prospective bidders. Sealed bids must be received not later than 2:30 p.m. o'clock, Eastern Daylight Saving Time on May 7th, 1956, at which time they will be publicly opened by the Town Board at a public meeting called for that purpose to be held at the Town Hall, corner of Union and Broadway, Cheektowaga, New York.

The Town of Cheektowaga reserves the right to reject any, and all bids, or to waive technical defects in bids if it be in the public interest of the Town of Cheektowaga to do so.

This notice is to be published by direction of the Town Board of the Town of Cheektowaga, New York.

Dated: April 16, 1956.

KENNETH T. HANLEY,  
Town Clerk

a19

The above Notice was posted at the following places on the 20th day of April, 1956:

- 1- Town Hall Bulletin Board;
- 2- U-Crest Fire Hall-Clover Place and Evergreen Street;
- 3- Pine Hill Fire Hall Bulletin Board-Genesee Street at Normandy;
- 4- Rescue Fire Hall Bulletin Board-Pine Ridge Road;
- 5- Doyle Fire Hall No. 1 Bulletin Board-William and Alaska Street.



Item No. 33-Cont'd Hereto attached is a copy of the Notice published in the  
Depew Herald-Cheektowaga News:

75

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

The Town of Cheektowaga  
reserves the right to reject any, and  
all bids, or to waive technical de-  
fects in bids if it be in the public  
interest of the Town of Cheekto-  
waga to do so.

This notice is to be published by  
direction of the Town Board of the  
Town of Cheektowaga, New York.  
Dated: April 16, 1956.

COPIES of the specifications are  
made available for all prospective  
bidders. Sealed bids must be receiv-  
ed not later than 2:30 p.m. o'clock,  
Eastern Daylight Saving Time on  
May 7th, 1956, at which time they  
will be publicly opened by the  
Town Board at a public meeting  
called for that purpose to be held  
at the Town Hall, corner of Union  
and Broadway, Cheektowaga, New  
York.

The Town of Cheektowaga re-  
serves the right to reject any, and  
all bids, or to waive technical de-  
fects in bids if it be in the public  
interest of the Town of Cheekto-  
waga to do so.

This notice is to be published by  
direction of the Town Board of the  
Town of Cheektowaga, New York.  
Dated: April 16, 1956.

KENNETH T. HANLEY,  
Town Clerk

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  
..... one ..... week, the first insertion being on the  
..... 19th ..... day of ..... April, 1956, and  
the last insertion being on the ..... 19th ..... day of  
..... April, 1956, and that not  
more than six days intervened between any two publi-  
cations thereof.

Richard G. Bennett

Sworn to before me this ..... day of

APR 23 1956

19

Kenneth T. Hanley

Notary Public in and for Erie County

hn 11096-03

Item No. 24  
its adoption:

Councilman Krobblewski presented the following resolution and moved

WHEREAS, two (2) radio-equipped motorcycles are needed for the Police Department, and it is necessary to solicit bids for the same, be it  
RESOLVED, that the Town of Cheektowaga purchase for the Police Department two (2) new radio-equipped motorcycles to meet the specifications referred to in the Notice to Bidders, and the Town Clerk be directed to publish the annexed Notice to Bidders in the Cheektowaga Sun, Depew Herald-Cheektowaga News, and the Buffalo Evening News, newspapers having general circulation in the township at least five (5) days before the receipt of bids. That sealed bids be received not later than 2:30 o'clock P.M., on May 7, 1956, at which time they will be publicly opened by the Town Board at a meeting called for that purpose, to be held at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York.

That the Notice to Bidders shall be in substantially the following

form:

**NOTICE TO BIDDERS**

The Town of Cheektowaga hereby requests separate sealed bids for the purchase of two (2) radio-equipped motorcycles, for use by the Police Department.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file. The copies of the specifications are made available for all prospective bidders.

Sealed bids must be received not later than 2:30 o'clock P.M., on May 7, 1956, at which time they will be publicly opened by the Town Board at a public meeting called for that purpose to be held at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York.

The Town of Cheektowaga reserves the right to reject any and all bids or to waive technical defects in bids if it be in the public interest of the Town of Cheektowaga to do so.

This Notice is published by direction of the Town Board of the Town of Cheektowaga, New York.

Dated: April 16, 1956.

KENNETH T. HANLEY,

a19

Town Clerk

Seconded by Councilman Trojanosky.

CARRIED: AYES: - 7 -

Hereto attached is a copy of the specifications:

OFFICE OF THE POLICE CHIEF

**Town of Cheektowaga**

ERIE COUNTY, NEW YORK

JOHN F. MERSMANN  
POLICE CHIEF  
TOWN HALL  
CHEEKTOWAGA, 26 NEW YORK

April 5, 1956

**SPECIFICATIONS-----MOTORCYCLES-RADIO EQUIPPED****Item I.****HARLEY-DAVIDSON, MODEL 1956, SOLO MOTORCYCLE  
WITH:**

1. Front and rear safety guard
2. Jiffy stand
3. Air cleaner
4. 5.00 x 16 wheels and tires with blow-out proof tubes
5. Four speed transmission
6. Pedal pads
7. De-luxe saddle
8. Rear wheel siren
9. Speedometer hand control
10. Pursuit lamps
11. Mirror
12. Windshield
13. Police plate
14. Radio generator with regulator and radio battery
15. Police silver finish
16. Rubber mounted bars.
17. Heavy duty seat post spring
18. Oil filter
19. Windshield bag

**Item II.****RADIO**

Each solo motorcycle to be equipped with a two-way radio, FCC. frequency authorization of 159.09 MC. These units are to be of a type and to meet specifications of units now in use by this department with our solo motorcycles.

**Item III.**

The police department has Two (2) solo motorcycles that will be traded-in when the two above machines are purchased.

Item No. 34-Cont'd The aforementioned Notice to Bidders was posted as follows on the 20th day of April, 1956:

- 1- Town Hall Bulletin Board;
- 2- U-Crest Fire Hall-Clover Place and Evergreen Street;
- 3- Pine Hill Fire Hall Bulletin Board-Cenesee Street at Normandy;
- 4- Rescue Fire Hall-Pine Ridge Road;
- 5- Doyle Fire Hall No. 1-William and Alaska Street.

Hereto attached is a copy of the Notice published in the Cheektowaga Sun:

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

**NOTICE TO BIDDERS**  
The Town of Cheektowaga hereby requests separate sealed bids for the purchase of two (2) radio-equipped motorcycles, for use by the Police Department. The detailed specifications may be examined at the office of the Town Clerk, where the same are on file. The copies of the specifications are made available for all prospective bidders. Sealed bids must be received not later than 2:30 o'clock P.M., on May 7, 1956, at which time they will be publicly opened by the Town Board at a public meeting called for that purpose to be held at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York. The Town of Cheektowaga reserves the right to reject any and all bids or to waive technical defects in bids if it be in the public interest of the Town of Cheektowaga to do so. This Notice is published by direction of the Town Board of the Town of Cheektowaga, New York. Dated: April 16, 1956.  
KENNETH T. HANLEY,  
Town Clerk.

EDWIN K. GROSS

being duly sworn, deposes and says that he is the

PUBLISHER

of

## The Cheektowaga Sun

a public newspaper published in the Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the ~~last~~ insertion being on the 28th day of April, 1956, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*Edwin K. Gross*

Sworn to before me this 7th day of

May, 1956

*Kenneth T. Hanley*

Notary Public in and for Erie County

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

The Town of Cheektowaga hereby requests separate sealed bids for the purchase of two (2) radio-equipped motorcycles, for use by the Police Department.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file. The copies of the specifications are made available for all prospective bidders.

Sealed bids must be received not later than 2:30 o'clock P.M., on May 7, 1956, at which time they will be publicly opened by the Town Board at a public meeting held for that purpose to be held at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York.

The Town of Cheektowaga reserves the right to reject any and all bids or to waive technical defects in bids if it be in the public interest of the Town of Cheektowaga to do so.

This Notice is published by direction of the Town Board of the Town of Cheektowaga, New York.  
Dated: April 18, 1956.

KENNETH T. HANLEY,  
Town Clerk

819

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  
.....one..... week, the first insertion being on the  
.....19<sup>th</sup>..... day of .....April....., 1956, and  
the last insertion being on the .....19<sup>th</sup>..... day of  
.....April....., 1956, and that not  
more than six days intervened between any two publications thereof

*Richard G. Bennett*

Sworn to before me this ..... day of

APR 23 1956

19

*Kenneth T. Hanley*

Notary Public in and for Erie County

hn 11096-C8

Item No. 31-Cont'd Hereto attached is a copy of the Notice published in the Buffalo Evening News:

**State of New York**  
ERIE COUNTY  
CITY OF BUFFALO

The Town of Cheektowaga hereto by separate sealed bids for the purchase of two (2) radio-cassette recorders, for use by the Police Department.

The detailed specifications may be examined at the office of the Town Clerk where the same are on file. The copies of the specifications are made available for all prospective bidders.

Sealed bids must be received not later than 3:30 o'clock P. M., on May 7, 1956, at which time they will be publicly opened by the Town Board at a public meeting called for that purpose to be held at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York.

The Town of Cheektowaga reserves the right to reject any and all bids or to waive technical defects in bids if it be in the public interest of the Town of Cheektowaga to do so.

This Notice is published by direction of the Town Board of the Town of Cheektowaga, New York.

Dated: April 14, 1956

Norman J. Ronald

of the City of Buffalo, New York, being duly sworn, deposes and says that he is Principal Clerk of the BUFFALO EVENING NEWS, INC., Publisher of the BUFFALO EVENING NEWS, a newspaper published in said city, that the notice of which the annexed printed slip taken from said newspaper is a copy, was inserted and published therein Once ~~every week~~ ~~on the~~ ~~10th~~ day of April 19 56 ~~substant~~

Norman J. Ronald

Sworn to before me this 19th day  
of April 19 56

Eleanor M. Yax  
Notary Public, Erie County, N. Y.

ELEANOR M. YAX  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires March 30, 1958

Item No. 25 Councilman Nailent presented the following resolution and moved its adoption:

78

WHEREAS, the Town Board did on the 2nd day of April, 1956, receive bids for the purchase of two (2) police automobiles for use in the Police Department,

WHEREAS, this Town Board does hereby consider it to be in the public interest that said bids be rejected, and be it further

RESOLVED, that this Town Board does hereby advertise again for sealed bids as per copy of the Notice hereto attached.

Seconded by Councilman Nagel

CARRIED: AYES: -7-

#### NOTICE TO BIDDERS

##### **NOTICE TO BIDDERS**

The Town of Cheektowaga hereby requires separate sealed bids for two (2) Police Automobiles, fully equipped for use in the Police Department.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file.

Copies of the specifications are made available for all prospective bidders. Sealed bids must be received not later than 2:30 o'clock P. M. on May 7, 1956, at which time they will be publicly opened by the Town Board at a Public Meeting called for that purpose to be held at the Town Hall, corner Union and Broadway, Cheektowaga, New York.

The Town of Cheektowaga reserves the right to reject any and all bids or to waive technical defects in bids if it be in the public interest of the Town of Cheektowaga to do so.

This notice is to be published by direction of the Town Board of the Town of Cheektowaga, New York.

Dated: April 16, 1956.

KENNETH T. HANLEY,  
Town Clerk

a19

Hereto attached is a copy of the specifications for Police Cars:

##### **POLICE DEPARTMENT SPECIFICATION FOR CARS**

Car : 1956 Two-door Sedan-Deluxe or Equivalent.  
Make : To be decided by the Town Board.  
Color : Black (Others with special arrangement w/the Chief of Police or Supervisor.)  
Horsepower : 160 or better.  
Generator : Low cut-in for Police work.  
Transmission : Automatic Type.  
Brakes : Hydraulic - 11" Dia., Heavy Duty.  
Rear Springs : Heavy duty.  
Rims : 5" short spoke steel disc.  
Tires : 670 x 15 - 6 Ply; tubeless type (Black).  
Equipment : Directional lights, arm rests, right hand sun visor, oil filter, oil bath air cleaner.  
Heater & Defroster : Fresh air - air flo - type.  
Upholstering : Vinyl type plastic.  
Windshield Wipers : Electric.  
Lettering : As required by the Chief of Police. (2 Cars only.)  
The bids submitted will be for 2 cars individually or in any combination of series.  
No Cars will be traded in.  
The two cars will be delivered at a date specified by the Town Board within 30 days or sooner after the bids are accepted.  
The Town Board may accept or reject any or all bids or accept any bid that it desires.

The aforementioned Notice was posted as follows on the 20th day of April, 1956:

- 1- Town Hall Bulletin Board;
- 2- U-Crest Fire Hall-Clover Place and Evergreen Street;
- 3- Rescue Fire Hall-Pine Ridge Road;
- 4- Pine Hill Fire Hall-Genesee Street at Normany;
- 5- Doyle Fire Hall No. 1-William and Alaska Street.

Hereto attached is a copy of the Notice published in the  
Depew Herald-Cheektowaga News:

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

The Town of Cheektowaga, New York, requires separate sealed bids for two (2) Police Automobiles, fully equipped for use in the Police Department.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file.

Copies of the specifications are made available for all prospective bidders. Sealed bids must be received not later than 2:30 o'clock P. M. on May 7, 1956, at which time they will be publicly opened by the Town Board at a Public Meeting called for that purpose to be held at the Town Hall, corner Baker and Broadway, Cheektowaga, New York.

The Town of Cheektowaga reserves the right to reject any and all bids or to waive technical defects in bids if it be in the public interest of the Town of Cheektowaga to do so.

This notice is to be published by resolution of the Town Board of the Town of Cheektowaga, New York.  
Dated: April 16, 1956.

KENNETH T. HANLEY,  
Town Clerk

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 one week, the first insertion being on the 19th day of April, 1956, and the last insertion being on the 19th day of April, 1956, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this \_\_\_\_\_ day of

APR 23 1956

19

*Kenneth T. Hanley*

Notary Public in and for Erie County

hn 11096-C8



Item No. 36 Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board did on the 2nd day of April, 1956, receive sealed bids for the purchase of two (2) car radios to be used in the Police Department,

WHEREAS, this Town Board believes it is in the public interest that same bids be rejected,

RESOLVED, that the said bids are hereby rejected by this Town Board.  
Seconded by Councilman Nagel.

CARRIED: AYES: -7-

79

Item No. 37 Councilman Kornecki moved, seconded by Councilman Trojanosky, that the application of John Glian to rezone from Residential District to Business District Lots No. 5-6-7 and 8, on Dingen Street, southeast corner, of Harlem Road and Dingen Street be denied.

CARRIED: AYES: -7-

19

Item No. 38 Councilman Trojanosky moved, seconded by Councilman Wroblewski;

WHEREAS, the Zoning Board of Appeals held a public hearing for the purpose of considering the application of Pauline C. Fracasso for the rezoning of premises from Residential District to Business District of the property hereinafter described and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, the Zoning Board of Appeals having rendered its decision granting the application of the petitioner to rezone from Residential District to Business District the property hereinafter described, be it

RESOLVED, that the decision of the Zoning Board of Appeals granting the application of the petitioner to rezone premises from Residential District to Business District be and the same is hereby confirmed and approved, be it

RESOLVED, by this Town Board that the Ordinance adopted December 21, 1942, and as now amended entitled "Zoning Ordinances", be and the same hereby is amended by changing the Zoning Map so as to change the following described property from that of Residential District to Business District.

DESCRIPTION

Lots Nos. 99, 100, 101, 102, 103, 104 under Map Cover No. 1377. Lots Nos. 1 and 2 under Map Cover No. 1326, Genesee Street, south side between Andres Place and Fredericks Drive.

Dated: April 16, 1956.

CARRIED: AYES: -7-

19

The above notice was posted on the Town Hall Bulletin Board on the 28th day of April, 1956.

Item No. 38-Cont'd Hereto is a copy of the Notice published in the  
Depew Herald-Cheektowaga News:

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

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  
..... one ..... week, the first insertion being on the  
..... 26<sup>th</sup> ..... day of ..... April ..... 1956, and  
the last insertion being on the ..... 26<sup>th</sup> ..... day of  
..... April ..... 1956, and that not  
more than six days intervened between any two publi-  
cations thereof.

*Richard G. Bennett*

RESOLVED, that the decision of the Zoning Board of Appeals granting the application of the petitioner to change premises from Residential District to Business District be and the same is hereby confirmed and approved, be it  
RESOLVED, by this Town Board that the Ordinance adopted December 21, 1942, and as now amended entitled "Zoning Ordinances", be and the same hereby is amended by changing the Zoning Map so as to change the following described premises from that of Residential District to Business District.  
DESCRIPTION  
Lots Nos. 99, 100, 101, 102, 103, under Map Cover No. 137, Lots 1 and 2 under Map Cover No. 138, Genesee Street, south side between Andrew Place and Frederick Street.  
Dated: April 16, 1956.  
KENNETH T. HANLEY,  
Town Clerk, Town of Cheektowaga, New York

Sworn to before me this ..... day of  
..... 19.....

*Kenneth T. Hanley*  
Notary Public in and for Erie County  
hn 11096-08

Item No. 39 Complaint relating to a deep open water hole existing on property owned by the Inter-Community Hospital located on Harlem Road, ordered referred to the Building Inspector and Town Engineer.

80

Item No. 40 Complaint in regard to an open basement full of water located at the corner of Harlem Avenue and McNaughton Avenue, referred to the Building Inspector.

Judge Radwan advised the chairman that a warrant for the arrest of the above mentioned property owners has been sworn out by the Building Inspector.

Item No. 41

Judge Radwan was advised by the Chairman that the public will be notified of the date and time that the Town Board will process the applications for the modernization of the New York Central Yards in the Town of Cheektowaga.

15

Item No. 42 The Town Attorney advised Judge Radwan that the New York Railroad company, will in writing, withdraw its applications for the stock yard, feeding pens and the cooperage and car cleaning buildings.

15  
33

Item No. 43 Councilman Kornecki 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 a warrant on the Supervisor for payment of same.

Warrant No. 864 to Warrant No. 973 inclusive, drawn on the Supervisor.

6

Item No. 44 Councilman Nagel moved, seconded by Councilman Bystrak, to adjourn.

SEAL

Kenneth T. Hanley, Town Clerk

*Kenneth T. Hanley*

Item No. 1 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 19th day of April, 1956, at 5:30 p'clock P.M., there were:

|                            |            |
|----------------------------|------------|
| PRESENT: Benedict T. Holtz | Supervisor |
| Henry J. Nagel             | Councilman |
| Felix T. Wroblewski        | "          |
| Joseph Kornecki            | "          |
| Joseph Trojanoksy          | "          |
| Joseph A. Neibert          | "          |
| Stanley R. Bystrak         | "          |

Also present were: Town Clerk Kenneth T. Hanley; Highway Superintendent John J. Zablotny; Attorney Thomas Delahunt and Secretary to the Supervisor Virginia Stevens.

Item No. 2 Councilman Neibert presented the following resolution and moved its adoption:

BOND RESOLUTION, DATED APRIL 19 TH, 1956, AUTHORIZING THE ISSUANCE OF \$47,500 SERIAL BONDS AND \$2,500 CAPITAL NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, FOR PARK AND PLAYGROUND IMPROVEMENTS.

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 \$47,500 and its Capital Notes of the aggregate principal amount of \$2,500, pursuant to the Local Finance Law of New York, in order to finance the specific purpose hereinafter described.

Section 2. The specific purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the improvement of the public park or playground which is located on Harlem Road near George Urban Boulevard in the Town of Cheektowaga and is maintained by said Town as a public park or playground, by constructing thereon a concrete wading pool and the facilities required for its operation.

Section 3. It is hereby stated that (a) the maximum cost of said purpose as estimated by the Town Board is \$50,00, and (b) current funds amounting to \$2,500 will be provided for the financing of such purpose prior to the issuance of said bonds, or of any bond anticipation notes issued in anticipation of 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 (d) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds and by the use of said current funds.

Section 4. It is hereby determined that said purpose is an object or purpose described in Subdivision 19 of Paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is ten 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. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the Depew Herald and Cheektowaga News and in the Cheektowaga Sun, both of which are newspapers published and having a general circulation in said Town. The validity of said Serial Bonds or 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 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 Constitution of New York.

Section 7. 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.

Item No. 2 cont'd. Seconded by Councilman Kornecki and duly put to a vote which resulted as follows:

Supervisor Holtz  
Councilman Neibert  
Councilman Nagel  
Councilman Wroblewski  
Councilman Bystrak  
Councilman Trojanosky  
Councilman Kornecki

Voting AYE  
Voting AYE  
Voting AYE  
Voting AYE  
Voting AYE  
Voting AYE  
Voting AYE

AYES -7-

NOES -0-

ABSENT -0-

Posted as follows on the 27th day of April, 1956:

- 1- Town Hall Bulletin Board;
- 2- U-Crest Fire Hall-Clover Place and Evergreen Street;
- 3- Pine Hill Fire Hall Bulletin Board- Genesee Street at Normandy;
- 4- Rescue Fire Hall Bulletin Board;-Pine Ridge Road;
- 5- Doyle Fire Hall No. 1 Bulletin Board-William and Alsaks Street.

Hereto attached is a copy of the Notice published in the  
Depew Herald-Cheektowaga News and the Cheektowaga Sun.

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

**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 19th day of April, 1956, adopted pursuant to the Local Finance Law of New York a bond resolution which (1) authorizes the issuance of \$47,500 Serial Bonds and \$2,500 Capital Notes to finance the following specific object or purpose: the improvement of the public park or playground which is located on Harlem Road near George Urban Boulevard in the Town of Cheektowaga and is maintained by said Town as a public park or playground, by constructing thereon a concrete wading pool and the facilities required for its operation, and (2) states the estimated cost of such specific object or purpose to be \$50,000 and that current funds amounting to \$2,500 will be provided for the financing of such purpose by the issuance of the Capital Notes authorized by said resolution, and that the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds and Capital Notes, and (3) determines the period of probable usefulness of said purpose to be ten 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, and the provisions of law which

**EDWIN L. GROSS**

being duly sworn, deposes and says that he is the

PUBLISHER

of

## The Cheektowaga Sun

a public newspaper published in the 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 \_\_\_\_\_ day of \_\_\_\_\_, 1956, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*Edwin L. Gross*

Sworn to before me this 27th day of

May, 1956

*Keneth T. Hanley*

Notary Public in and for Erie County

Item No. 2 cont'd. Seconded by Councilman Kornecki and duly put to a vote which resulted as follows:

|                       |        |            |
|-----------------------|--------|------------|
| Supervisor Holtz      | Voting | <u>AYE</u> |
| Councilman Neibert    | Voting | <u>AYE</u> |
| Councilman Nagel      | Voting | <u>AYE</u> |
| Councilman Wroblewski | Voting | <u>AYE</u> |
| Councilman Bystrak    | Voting | <u>AYE</u> |
| Councilman Trojanosky | Voting | <u>AYE</u> |
| Councilman Kornecki   | Voting | <u>AYE</u> |

AYES -7-

NOES -0-

ABSENT -0-

Posted as follows on the 27th day of April, 1956:

- 1- Town Hall Bulletin Board;
- 2- U-Crest Fire Hall-Clover Place and Evergreen Street;
- 3- Pine Hill Fire Hall Bulletin Board- Genesee Street at Normandy;
- 4- Rescue Fire Hall Bulletin Board;-Pine Ridge Road;
- 5- Doyle Fire Hall No. 1 Bulletin Board-William and Alsaks Street.

Hereto attached is a copy of the Notice published in the  
Depew Herald-Cheektowaga News and the Cheektowaga Sun.

STATE OF NEW YORK  
COUNTY OF ERIE

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 19th day of April, 1956, adopted pursuant to the Local Finance Law of New York a bond resolution which (1) authorizes the issuance of \$47,500 Serial Bonds and \$2,500 Capital Notes to finance the following specific object or purpose: the improvement of the public park or playground which is located on Harlem Road near George Urban Boulevard in the Town of Cheektowaga and is maintained by said Town as a public park or playground, by constructing thereon a concrete wading pool and the facilities required for its operation, and (2) states the estimated cost of such specific object or purpose to be \$50,000 and that current funds amounting to \$2,500 will be provided for the financing of such purpose by the issuance of the Capital Notes authorized by said resolution, and that the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds and Capital Notes, and (3) determines the period of probable usefulness of said purpose to be ten 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, April 19th, 1956.

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

STATE OF NEW YORK  
COUNTY OF ERIE

## Shot Guild

re shows the action clearly and gives a good view of their faces.

### Angles Lately?

activities and thus we get a good view of their faces.

Here the camera angle gives good clear picture of the activities and finds an ideally plain background that at the same time tells part of the story.

By varying your camera angle

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 one week, the first insertion being on the 26<sup>th</sup> day of April, 1956, and the last insertion being on the 26<sup>th</sup> day of April, 1956, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this \_\_\_\_\_ day of

MAY 4 1956

19

*Kenneth T. Hanley*

Notary Public in and for Erie County

hn 11096-G8

STATE OF NEW YORK  
COUNTY OF ERIE

That the Town Board of the Town of Cheektowaga, in the County of Erie, in the State of New York, has, on the 19th day of April, 1956, adopted pursuant to the Local Finance Law of New York, a bond resolution which

(1) authorizes the issuance of \$49,500 Serial Bonds and \$2,500 Capital Notes to finance the following specific object or purpose: the improvement of the public park or playground which is located on Harlem Road near George Urban Boulevard in the Town of Cheektowaga and is maintained by said Town as a public park or playground, by constructing thereon a concrete wading pool and the facilities required for its operation, and

(2) states the estimated cost of such specific object or purpose to be \$50,000 and that current funds amounting to \$2,500 will be provided for the financing of such purpose by the issuance of the Capital Notes authorized by said resolution, and that the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds and Capital Notes, and

(3) determines the period of probable usefulness of said purpose to be ten years, and

(4) determines that the matur-

(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: April 19th, 1956.

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

a26

Sworn to before me this

MAY 4 1956

*Kenneth T. Hanley*

Notary Public

hn 11096-C8



Item No. 3  
adoption:

Councilman Kornecki presented the following resolution and moved its

BOND RESOLUTION DATED APRIL 19, 1956, AUTHORIZING THE ISSUANCE OF \$11,500.00 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE CONSTRUCTION OF LATERAL SEWER.

WHEREAS, Sewer District No. 3, hereinafter referred to is a sewer district of the Town of Cheektowaga in the County of Erie, duly established by the Town Board of said Town, pursuant to and in accordance with the provisions of the Town Law of New York, and said Sewer District has constructed and now maintains a trunk system of sewers in said District in accordance with Article 12 of the Town Law of New York, and the lateral sewer hereinafter described is to be connected with said trunk system of sewers and will be entirely within said District, and the purpose, hereinafter described is a special improvement authorized by said Article 12:

NOW THEREFORE,

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

Section 1. In order to finance the specific object or purpose, hereinafter described, the Town of Cheektowaga, in the County of Erie, shall issue its Serial Bonds of the aggregate principal amount of \$11,500.00 pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the construction of a lateral Sewer in that portion of Ludwig Avenue, extending from William Street, northerly 1920 feet to Downer Place, so as to serve the east side of said highway, in accordance with a resolution adopted by the Town Board of said Town of Cheektowaga on the 3rd day of October, 1955.

Section 3. The expense of making the improvement described in Section 2 of this resolution shall be borne by local assessment upon the several lots and parcels of land which the Town Board shall determine and specify to be especially benefitted by such improvement. An amount sufficient to pay the principal of and interest on said Serial Bonds, as the same shall become, due shall be annually apportioned and assessed upon the several lots and parcels of land especially benefitted by such improvement in proportioned to the amount of benefit which the improvement shall confer upon the same, in accordance with Sub-division 2 of Section 231 of the Town Law of New York.

Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board is \$11,500.00 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such costs is to be paid by assessment upon benefitted real property in an area less than the area of said Town.

Section 5. It is hereby determined that said purpose is an object or purpose described in Subdivision 4 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is thirty years.

Section 6. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of five years.

Section 7. The validity of said Serial Bonds/or 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 with as of the date of publication of this notice were not substantially complied of law which should be complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution of New York.

Section 8. This resolution shall be published in full by the Town Clerk of said Town, together with a notice of substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publications shall be in the Depew Herald and Cheektowaga News and the Cheektowaga Sun newspapers having a general circulation in the Township.

Section 9. This resolution shall take effect immediately upon its adoption:

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

Item No: 2 cont'd.

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

Voting AYE  
Voting AYE  
Voting AYE  
Voting AYE  
Voting AYE  
Voting AYE  
Voting AYE

AYES -7-

NOES -0-

ABSENT -0-

Hereto attached is a copy of the Notice published in the  
Depot Herald-Cheektowaga News and the Cheektowaga Sun.

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

BOND RESOLUTION, DATED  
APRIL 12, 1956, AUTHORIZING  
THE ISSUANCE OF \$11,500.00  
SERIAL BONDS OF THE TOWN  
OF CHEEKTOWAGA, IN THE  
COUNTY OF ERIE, PURSUANT  
TO THE LOCAL FINANCE  
LAW, TO FINANCE THE CON-  
STRUCTION OF A LATERAL  
SEWER, hereinafter referred to, is a  
SEWER.

WHEREAS, Sewer District No.  
sewer district of the Town of  
Cheektowaga, in the County of  
Erie, duly established by the  
Town Board of said Town, pursu-  
ant to the provisions of the Con-  
stitution of New York.

Section 5. It is hereby deter-  
mined that said purpose is an object  
or purpose described in Sub-  
division 4 of paragraph (a) of  
Section 11.00 of the Local Finance  
Law, and that the period of prob-  
able usefulness of said purpose is  
thirty years.

Section 6. It is hereby deter-  
mined that the proposed maturity  
of the obligations authorized by  
this resolution will not be in ex-  
cess of five years.

Section 7. The validity of said  
serial bonds or of any bond antici-  
pation notes issued in anticipation  
of the sale of said Serial Bonds  
may be contested only if such obli-  
gations are authorized for an ob-  
ject or purpose for which said  
Town is not authorized to expend  
money, or the provisions of law  
which should be 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 with-  
in twenty days after the date of  
such publication; or if said obli-  
gations are authorized in viola-  
tion of the provisions of the Con-  
stitution of New York.

Section 8. This resolution shall  
be published in full by the Town  
Clerk of said Town, together  
with a notice of substantially the  
form prescribed by Section 11.00  
of the Local Finance Law.

EDWIN K. GROSS

being duly sworn, deposes and says that he is the

PUBLISHER

of

## The Cheektowaga Sun

a public newspaper published in the Town of Cheektowaga,  
Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
one week, the ~~first~~ insertion being on the  
28th day of April, 1956, and  
the last insertion being on the \_\_\_\_\_ day of  
\_\_\_\_\_, 19\_\_\_\_, and that not  
more than six days intervened between any two publi-  
cations thereof.

*Edwin K. Gross*

Sworn to before me this 7th day of

May, 1956

*Kenneth T. Baker*  
Notary Public in and for Erie County

Hereto attached is a copy of the Notice published in the  
Depew Herald-Cheektowaga News

STATE OF NEW YORK  
COUNTY OF ERIE

**BOND RESOLUTION, DATED  
APRIL 30, 1956, AUTHORIZING  
THE ISSUANCE OF \$11,500.00  
SERIAL BONDS OF THE TOWN  
OF CHEEKTOWAGA, IN THE  
COUNTY OF ERIE, PURSUANT  
TO THE LOCAL FINANCE  
LAW, TO FINANCE THE CON-  
STRUCTION OF A LATERAL  
SEWER, hereinafter referred to, is a  
SEWER.**

WHEREAS, Sewer District No. 1, sewer district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town, pursuant to and in accordance with the provisions of the Town Law of New York, and said Sewer District has constructed and now maintains a trunk system of sewers in said District in accordance with Article 12 of the Town Law of New York, and the lateral sewer hereinafter described is to be connected with said trunk system of sewers and will be entirely within said District, and the purpose, hereinafter described is a special improvement authorized by said Article 12:

NOW THEREFORE,  
BE IT RESOLVED, by the Town Board of the Town of Cheektowaga, in the County of Erie, as follows:

Section 1. In order to finance the specific object or purpose, hereinafter described, the Town of Cheektowaga, in the County of Erie, shall issue its Serial Bonds of the aggregate principal amount of \$11,500.00 pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the construction of a lateral sewer in that portion of Ludwig Avenue, extending from William Street, northerly 1225 feet to Downer Place, so as to serve the east side of said highway, in accordance with a resolution adopted by the Town Board of said Town of Cheektowaga on the 3rd day of October, 1955.

Section 3. The expense of making the improvement described in Section 2 of this resolution shall be borne by local assessment upon the several lots and parcels of land which the Town Board shall determine and specify to be especially benefitted by such improvement. An amount sufficient to pay the principal of and interest on said Serial Bonds as the same shall become due, shall be annually apportioned and assessed upon the several lots and parcels of land especially benefitted by the improvement in proportion to the amount of benefit which the improvement shall confer upon the same, in accordance with Sub-division 2 of Section 231 of the Town Law of New York.

Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board is \$11,500.00 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 solely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessment upon benefitted real property in an area less than the area of said Town.

Section 5. It is hereby determined that said purpose is an object or purpose described in Sub-division 4 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is thirty years.

Section 6. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of five years.

Section 7. The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with 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 such publication, or if said obligations are authorized in violation of the provisions of the Constitution of New York.

Section 8. This resolution shall be published in full by the Town Clerk of said Town, together with a notice of substantially the form prescribed by Section 51.00 of the Local Finance Law, and such publication shall be in the Depew Herald and Cheektowaga News and the Cheektowaga Sun, newspapers having a general circulation in the Township.

Section 9. This resolution shall take effect immediately upon its adoption.

The bond resolution published herewith has been adopted on the 19th day of April, 1956 and the validity of the obligations authorized by such bond resolution may be hereafter contested, only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga in the County of Erie, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution of New York.

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

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

**TINEL**

279 Bell St., Phone: NY 442

Andrew's Church at 10:00.  
ment was in St. Stanislaus  
etery.

Mrs. Catherine Ehrle, of  
St., Buffalo, celebrated her  
day, April 19th. She celebra  
occasion with her sister  
Louise Marshall, of Bell St.  
a dinner and show downtown.

Mrs. Irene Sieczkarek of  
Griffith St., has been confined  
the house with a bad cold and  
case of laryngitis.

Diane Walters, of 254 Lack  
wanna St., observed her 10th birth  
day, April 10th with a party. Pres  
ent were her mother, Mrs. Evelyn  
Walters, aunt, Mrs. Dolores Koz  
Mrs. Jaunita Gilbert, friends, Jan  
ette Wilk, Kathryn Syzdek, Kam  
and Debbie Gilbert, Sandra Swa  
out, Mary Ann Fudalik, Sandra K  
czent, Pamela Lytel, Geraldine K  
walski and Patricia Leight. De  
James Walters was unable to at  
tend, as he was at work.

The Ladies Auxiliary of the  
Frank L. Gierlach Post, 1320 Amer  
ican Legion, will hold their regu  
lar meeting on Tuesday evening  
May 1st, at 8:00 p.m. at the VFW  
Hall.

Richard Kubiak of 239 Hals  
Ave., celebrated his 9th birth  
April 22nd. He celebrated the oc  
sion with dinner and a show al  
with his parents Mr. and Mrs. Dick

**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

one week, the first insertion being on the  
26<sup>th</sup> day of April, 1956, and  
the last insertion being on the 26<sup>th</sup> day of

April, 1956, and that not  
more than six days intervened between any two publi-  
cations thereof.

*Richard G. Bennett*

Sworn to before me this \_\_\_\_\_ day of

MAY 4 1956

19

*Kenneth T. Hanley*

Notary Public in and for Erie County

hn 11096-C8

STATE OF NEW YORK  
COUNTY OF ERIE

RESOLUTION OF THE TOWN BOARD OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, CONCERNING THE CONSTRUCTION OF A LATERAL SEWER SYSTEM, SEWER DISTRICT NO. 1, HEREINAFTER REFERRED TO AS A DISTRICT OF THE TOWN OF CHEEKTOWAGA IN THE COUNTY OF ERIE, AUTHORIZED BY THE TOWN BOARD OF CHEEKTOWAGA, PURSUANT TO AND IN ACCORDANCE WITH THE PROVISIONS OF THE LOCAL FINANCE LAW OF NEW YORK, AND WHEREAS SAID DISTRICT HAS CONSTRUCTED A TRUNK SYSTEM, HEREINAFTER REFERRED TO AS A TRUNK SYSTEM, IN SAID DISTRICT IN ACCORDANCE WITH ARTICLE 12 OF THE LOCAL FINANCE LAW OF NEW YORK, AND THE LATERAL SEWER SYSTEM DESCRIBED IN SAID RESOLUTION IS CONNECTED WITH SAID TRUNK SYSTEM AND WILL BE ENTIRELY FINANCED BY SAID DISTRICT, AND THE PURPOSE OF SAID DISTRICT IS A SPECIAL IMPROVEMENT AUTHORIZED BY ARTICLE 12:

NOW THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Cheektowaga, in the County of Erie as follows: Section 1. In order to finance the object or purpose, the Town of Cheektowaga, in the County of Erie, shall have its Serial Bonds, hereinafter referred to as "Serial Bonds," authorized pursuant to the Local Finance Law of New York. Section 2. The specific object or purpose, hereinafter referred to as "the purpose," to be financed by the Town of Cheektowaga, in the County of Erie, is the

purpose to Downer Place, so as to serve the east side of said highway, in accordance with a resolution adopted by the Town Board of the Town of Cheektowaga on the 1st day of October, 1935.

Section 3. The expense of making the improvement described in Section 2 of this Resolution shall be borne by local assessment upon the several lots and parcels of land which the Town Board shall determine and specify to be especially benefitted by such improvement, an amount sufficient to pay the principal of and interest on said Serial Bonds, as the same shall become due, shall be annually apportioned and assessed upon the several lots and parcels of land especially benefitted by such improvement in proportion to the amount of benefit which the improvement shall confer upon the same, in accordance with Sub-division 2 of Section 231 of the Town Law of New York.

Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board is \$11,500.00 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such costs is to be paid by assessment upon benefitted real property in an area less than the area of said Town.

Section 5. It is hereby determined that the purpose is an object or purpose described in Sub-division 4 of Paragraph (a) of Section 21.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is thirty years.

Section 6. It is hereby determined

Section 7. The validity of said Serial Bonds or of any bond anticipated in notes issued in anticipation of the sale of said Serial Bonds shall 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 as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity shall be commenced within twenty days after the date of such publication; if said obligations are authorized in violation of the provisions of the Constitution of New York.

Section 8. This resolution shall be published in full by the Town Board of said Town, together with notice of substantially the form described by Section 81.00 of said Local Finance Law, and such publication shall be in the Depew Herald and Cheektowaga News, and Cheektowaga Sun, newspapers having a general circulation in the Township.

Section 9. This resolution shall take effect immediately upon its adoption.

The bond resolution published herewith has been adopted on the 1st day of April, 1936, and the validity of the obligations authorized by said bond resolution may be contested, only if such obligations are 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

Item No. 4  
adoption:

Page A-6  
Councilman Kornecki Presented the following resolution and moved its

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BOND ANTICIPATION NOTE RESOLUTION, DATED APRIL 19, 1956, AUTHORIZING THE ISSUANCE OF \$11,500.00 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE CONSTRUCTION OF A LATERAL SEWER.

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

Section 1.. The Board of the Town of Cheektowaga, in the County of Erie, shall issue its bond anticipation notes of the aggregate principal amount of \$11,500.00 pursuant to the Local Finance Law of New York, in order to finance in Sewer District No. 3 of the Town of Cheektowaga the construction of a lateral sewer in that portion of Ludwig Avenue extending from William Street, northerly, 1920 feet to Downer Place, so as to serve the east side of said highway, in anticipation of the sale of \$11,500.00 Serial Bonds of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law, to finance the construction of a lateral sewer in accordance with Bond Resolution, adopted by the Town Board on the 16th day of April, 1956.

Section 2. As required by the Local Finance Law, it is hereby stated that (a) there are no outstanding Bond Anticipation Notes issued in anticipation of the said Serial Bonds, and (b) the notes authorized by this resolution are not renewal notes, and (c) the notes described in this resolution shall mature within one year from date of their issue, and (d) such notes are issued in anticipation of bonds for an assessable improvement.

Section 3. Notes issued pursuant to this resolution shall be payable not later than one year from the date of said notes, and shall bear interest at a rate which shall not exceed five per cent (5%) per annum, payable at maturity. The power to prescribe the terms, form and contents of such notes, subject to the provisions of this resolution, and to sell and deliver said notes, is hereby delegated to the Town Supervisor. The Town Supervisor and the Town Clerk are hereby directed to sign any notes issued pursuant to this resolution and to affix to such notes the corporate seal of the Town of Cheektowaga.

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

|            |                      |        |            |
|------------|----------------------|--------|------------|
| Supervisor | Benedict T. Holtz,   | Voting | <u>AYE</u> |
| Councilman | Joseph A. Neibert,   | Voting | <u>AYE</u> |
| Councilman | Stanley R. Bystrak,  | Voting | <u>AYE</u> |
| Councilman | Felix E. Wroblewski, | Voting | <u>AYE</u> |
| Councilman | Henry J. Nagel,      | Voting | <u>AYE</u> |
| Councilman | Joseph Kornecki,     | Voting | <u>AYE</u> |
| Councilman | Joseph Trojanosky,   | Voting | <u>AYE</u> |

AYES -7-

NOES -0-

ABSENT -0-

12  
24

Item No. 5  
adoption:

Councilman Kornecki presented the following resolution and moved its

BOND RESOLUTION DATED APRIL 19, 1956, AUTHORIZING THE ISSUANCE OF \$13,700.00 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE CONSTRUCTION OF A LATERAL SEWER.

WHEREAS, Sewer District No. 3, hereinafter referred to, is a sewer district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town, pursuant to and in accordance with the provisions of the Town Law of New York, and said Sewer District has constructed and now maintains a trunk system of sewers in said District in accordance with Article 12 of the Town Law of New York, and the lateral sewer hereinafter described is to be connected with said trunk system of sewers and will be entirely within said District, and the purpose, hereinafter described is a special improvement authorized by said Article 12:

NOW THEREFORE,

BE IT RESOLVED, by the Town Board of the Town of Cheektowaga, in the County of Erie as follows,

Section 1. In order to finance the specific object or purpose, hereinafter described, the Town of Cheektowaga, in the County of Erie, shall issue its Serial Bonds of the aggregate principal amount of \$13,700.00 pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the construction of a lateral

Item No. 5 cont'd. sewer in that portion of Wallace Avenue extending from Grunner Road, north, a distance of 200 feet, so as to serve both sides of said highways, in accordance with a resolution adopted by the Town Board of said Town of Cheektowaga, on the 16th of January, 1956

Section 3. The expense of making the improvement described in Section 2 of this resolution shall be borne by local assessment upon the several lots and parcels of land which the Town Board shall determine and specify to be especially benefitted by such improvement, an amount sufficient to pay the principal of and interest on said Serial Bonds, as the same shall become due, shall be annually apportioned and assessed upon the several lots and parcels of land especially benefitted by such improvement in proportion to the benefit which the improvement shall confer upon the same, in accordance with Sub-division 2 of Section 231 of the Town Law of New York.

Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board is \$13,700.00 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessment upon benefitted real property in an area less than the area of said Town.

Section 5. It is hereby determined that said purpose is an object or purpose described in Subdivision 4 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is thirty years.

Section 6. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of five years.

Section 7. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions with as of date of publication of this notice were not substantially complied of law which should be complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution of New York.

Section 8. This resolution shall be published in full by the Town Clerk of said Town, together with a Notice of substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the Depew Herald and Cheektowaga News, the Cheektowaga Sun newspapers having a general circulation in the Township.

Section 9. This resolution shall take effect immediately upon its adoption:

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

|                                |            |
|--------------------------------|------------|
| Supervisor Benedict T. Holtz   | Voting AYE |
| Councilman Joseph A. Neibert   | " "        |
| Councilman Stanley R. Bystrak  | " "        |
| Councilman Felix T. Wroblewski | " "        |
| Councilman Henry J. Nagel      | " "        |
| Councilman Joseph Kornecki     | " "        |
| Councilman Joseph Trojanosky   | " "        |

AYES: -7-

NOES: -0-

ABSENT: -0-

STATE OF NEW YORK  
COUNTY OF ERIE

Section 7. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such...

tail Party at Fort Erie Hotel, Erie, Canada on Saturday, April 20th. Mrs. John Domogala and William Jusiak of Raymond S. tended a meeting of Bowlers in Hotel Buffalo, on April 20th.

Did you know that we have a "Pancho" musician in our neighborhood? He is Mr. Al Andraski, of Shanley St. Being a very musician he acquired his name "Pancho" while playing in El Paso, Texas. While in Baltimore, he played the piano on the X Ougai band for two weeks. The regular pianist was taken. He and his family are parishioners of St. Josephat Church.

### Troop 51 Registers 46 Boys At Dinner

On Thursday, April 12th, the registration dinner sponsored by Troop 51, BSA, was served to guests. Walter Duerringer gave invocation.

After group singing, led by Sada, Charles Bork welcomed audience and introduced Vir Rozler, neighborhood Commissioner who presented the charter to Schanne, president of the Lutheran Young Men's Association,...

an St. Josephat Church on Monday, April 23. Interment was in Stanislaus cemetery. Parishioners of St. Josephat are asked to look around or inquire about some information concerning the first years of the church's existence as to...

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 one week, the first insertion being on the 26th day of April, 1956, and the last insertion being on the 26th day of

April, 1956, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

day of

....., 19.....  
*Kenneth Stanley*  
Notary Public in and for Erie County



STATE OF NEW YORK  
COUNTY OF ERIE

**SERIAL BONDS**

**BOND RESOLUTION DATED  
APRIL 19, 1956, AUTHORIZING  
THE ISSUANCE OF \$13,700.00  
SERIAL BONDS OF THE TOWN  
OF CHEEKTOWAGA, IN THE  
COUNTY OF ERIE, PURSUANT  
TO THE LOCAL FINANCE LAW,  
TO FINANCE THE CONSTRUCTION  
OF A LATERAL SEWER.**

WHEREAS, Sewer District No. 3, hereinafter referred to, is a sewer district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town, pursuant to and in accordance with the provisions of the Town Law of New York, and said Sewer District has constructed and now maintains a trunk system of sewers in said District in accordance with Article 12 of the Town Law of New York, and the lateral sewer hereinafter described is to be connected with said trunk system of sewers and will be entirely within said District, and the purpose, hereinafter described, is a special improvement authorized by said Article 12:

**NOW THEREFORE,**

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

Section 1. In order to finance the specific object or purpose, hereinafter described, the Town of Cheektowaga, in the County of Erie, shall issue its Serial Bonds of the aggregate principal amount of \$13,700.00 pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the construction of a lateral sewer in that portion of Wallace Avenue extending from Grunner Road, north, to Broadway, that portion of Broadway extending from Wallace Avenue, west, a distance of 200 feet  $\pm$ , so as to serve both sides of said highways, in accordance with a resolution adopted by the Town Board of said Town of Cheektowaga, on the 16th day of January, 1956.

Section 3. The expense of making the improvement described in Section 2 of this resolution shall be borne by local assessment upon the several lots and parcels of land which the Town Board shall determine and specify to be especially benefitted by such improvement, an amount sufficient to pay the principal of and interest on said Serial Bonds, as the same shall become due, shall be annually apportioned and assessed upon the several lots and parcels of land especially benefitted by such improvement in proportion to the amount of benefit which the improvement shall confer upon the same, in accordance with Sub-division 2 of Section 231 of the Town Law of New York.

Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board is \$13,700.00 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessment upon benefitted real property in an area less than the area of said Town.

Section 5. It is hereby determined that said purpose is an object or purpose described in Subdivision 4 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is thirty years.

Section 6. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of five years.

Section 7. The validity of said Serial Bonds or of any bond authorized under this resolution is not affected by the fact that 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 as to constitute a violation of the provisions of law which should be 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 such publication; or if said obligations are authorized in violation of the provisions of the Constitution of New York.

Section 8. This resolution shall be published in full by the Town Clerk of said Town, together with a notice of substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the Depew Herald and Cheektowaga News, and the Cheektowaga Sun, newspapers having a general circulation in the Township.

Section 9. This resolution shall take effect immediately upon its adoption.

The bond resolution published herewith has been adopted on the 19th day of April, 1956 and the validity of the obligations authorized by such bond resolution may be hereafter contested, only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or

such as to constitute a violation of the provisions of the Constitution of New York.

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

Councilman Kornecki presented the following resolution and moved its adoption:

**BOND ANTICIPATION NOTE RESOLUTION DATED APRIL 19, 1956  
AUTHORIZING THE ISSUANCE OF \$13,700.00 SERIAL BONDS OF  
THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT  
TO THE LOCAL FINANCE LAW, TO FINANCE THE CONSTRUCTION OF A  
LATERAL SEWER.**

**BE IT RESOLVED**, by the Town Board of the Town of Cheektowaga, in the County of Erie as follows:

Section 1. The Board of the Town of Cheektowaga, in the County of Erie, shall issue its bond anticipation notes of the aggregate principal amount of \$13,700.00, pursuant to the Local Finance Law of New York, in order to finance in Sewer District No. 3 of the Town of Cheektowaga the construction of a lateral sewer in that portion of Wallace Avenue extending from Grunner Road, north, to Broadway and that portion of Broadway extending from Wallace Avenue, west, a distance of 200 feet plus, so as to serve both sides of said highway, in anticipation of the sale of \$13,700.00 Serial Bonds of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law, to finance the construction of a lateral sewer, in accordance with a Bond Resolution adopted by the Town Board on the 16th day of April, 1956.

Section 2. As required by the Local Finance Law, it is hereby stated that (a) there are no outstanding Bond Anticipation Notes issued in anticipation of the Serial Bonds and (b) the notes authorized by this resolution are not renewal notes, and (c) the notes described in this resolution shall mature within one year from date of their issue and (d) such notes are issued in anticipation of bonds for an assessable improvement.

Section 3. Notes issued pursuant to this resolution shall be payable not later than one year from the date of said notes, and shall bear interest at a rate which shall not exceed five per cent (5%) per annum, payable at maturity. The power to prescribe the terms, form and contents of such notes, subject to the provisions of this resolution, and to sell and deliver said notes, is hereby delegated to the Town Supervisor. The Town Supervisor and the Town Clerk are hereby directed to sign any notes issued pursuant to this resolution and to affix to such notes the corporate seal of the Town of Cheektowaga.

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

|                       |        |     |
|-----------------------|--------|-----|
| Supervisor Holtz      | Voting | AYE |
| Councilman Neibert    | "      | "   |
| Councilman Bystrak    | "      | "   |
| Councilman Wroblewski | "      | "   |
| Councilman Nagel      | "      | "   |
| Councilman Kornecki   | "      | "   |
| Councilman Trojanosky | "      | "   |

AYES: -7-

NOES: -0-

ABSENT: -0-

adoption:

Councilman Trojanosky presented the following resolution and moved its

**LEGAL NOTICE**

**BOND RESOLUTION, DATED APRIL 19, 1956, AUTHORIZING THE ISSUANCE OF \$4,800.00 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE CONSTRUCTION OF A LATERAL SEWER.**

WHEREAS, Sewer District No. 5, hereinafter referred to, is a sewer district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town, pursuant to and in accordance with the provisions of the Town Law of New York, and said Sewer District has constructed and now maintains a trunk system of sewers in said District in accordance with Article 12 of the Town Law of New York, and the lateral sewer hereinafter described is to be connected with said trunk system of sewers and will be entirely within said District, and the purpose, hereinafter described is a special improvement authorized by said Article 12;

**NOW THEREFORE,**

**BE IT RESOLVED**, by the Town Board of the Town of Cheektowaga, in the County of Erie, as follows:

Section 1. In order to finance the specific object or purpose, hereinafter described, the Town of Cheektowaga, in the County of Erie, shall issue its Serial Bonds of the aggregate principal amount of \$4,800.00 pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the construction of a lateral sewer in that portion of Oriole Place extending from Mildred Drive west to Frederick Drive, a distance of approximately 540 feet, so as to serve both sides of said highways, in accordance with a resolution adopted by the Town Board of the said Town of Cheektowaga, on the 3rd day of October, 1955.

Section 3. The expense of making the improvement described in Section 2 of this resolution shall be borne by local assessment upon the several lots and parcels of land which the Town Board shall determine and specify to be especially benefitted by such improvement, an amount sufficient to pay the principal of and interest on said Serial Bonds, as the same shall become due, shall be annually apportioned and assessed upon the several lots and parcels of land especially benefitted by such improvement in proportion to the amount of benefit which the improvement shall confer upon the same, in accordance with Sub-division 2 of Section 231 of the Town Law of New York.

Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board of \$4,800.00 and (b) no

money has heretofore been authorized to be applied to the payment of the cost of said purpose and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessment upon benefitted real property in an area less than the area of said Town.

Section 5. It is hereby determined that said purpose is an object or purpose described in Subdivision 4 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is thirty years.

Section 6. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of five years.

Section 7. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with 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 such publication; or if said obligations are authorized in violation of the provisions of the Constitution of New York.

Section 8. This resolution shall be published in full by the Town Clerk of said Town, together with a notice of substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the Depew Herald and Cheektowaga News, and the Cheektowaga Sun, newspapers having a general circulation in the Township.

Section 9. This resolution shall take effect immediately upon its adoption.

The bond resolution published herewith has been adopted on the 18th day of April, 1956 and the validity of the obligations authorized by such bond resolution may be hereafter contested, only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution of New York.

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

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

|                       |            |
|-----------------------|------------|
| Supervisor Holtz      | Voting AYE |
| Councilman Neibert    | " "        |
| Councilman Bystrak    | " "        |
| Councilman Wroblewski | " "        |
| Councilman Nagel      | " "        |
| Councilman Kornecki   | " "        |
| Councilman Trojanosky | " "        |

Hereto attached is a copy of the Notice published in the Depew Herald and Cheektowaga News:

Depew Herald and Cheektowaga News: ...  
... that permits top business cook-  
ing without the need for constant  
attention. As a result several jobs  
can be "in work" at the same time  
and foods never burn nor broil  
over.

Besides operating the select Cor-  
don Bleu restaurant in New York,  
Mrs. Lucas has had cooking schools  
in both New York and London.  
Among her pupils have been such  
famous amateur chefs as Brian  
Aherne, Joan Fontaine, Helen  
Hayes and Walter Abel.

Her tremendous following grew  
from a philosophy in direct con-  
tradiction to that of most home-  
making experts. Mrs. Lucas avoids  
any "quick and easy" approach to  
cooking. Instead she urges house-  
wives to spend more time in pre-  
paring the family's meals. The re-  
ward, she feels, is artistic accom-  
plishment.

#### SPRING BAZAAR AND SUPPER

The Lancaster Baptist Church is  
sponsoring a Spring bazaar and  
roast beef supper Thursday, May  
3, at the church. Mrs. Elmer Han-  
and Mrs. Louis Gioffre are chair-  
men.

#### BRING DAYLIG



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  
..... one week, the first insertion being on the  
..... 26<sup>th</sup> day of ..... April, 1956, and  
the last insertion being on the ..... 26<sup>th</sup> day of  
..... April, 1956, and that not  
more than six days intervened between any two publi-  
cations thereof.

*Richard G. Bennett*

Sworn to before me this ..... day of

19.....

*Henry T. Hanley*

Notary Public in and for Erie County

hn 11096-CB

money has heretofore been authorized to be applied to the payment of the cost of said purpose and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessment upon benefited real property in an area less than the area of said Town.

Section 5. It is hereby determined that said purpose is an object or purpose described in Subdivision 4 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is thirty years.

Section 6. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of five years.

Section 7. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with 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 such publication; and said obligations are authorized in violation of the provisions of the Constitution of New York.

Section 8. This resolution shall be published in full by the Town Clerk of said Town, together with a notice of substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the Depew Herald and Cheektowaga News, and the Cheektowaga Sun, newspapers having a general circulation in the Township.

Section 9. This resolution shall take effect immediately upon its adoption.

The bond resolution published herewith has been adopted on the 18th day of April, 1956 and the validity of the obligations authorized by such bond resolution may be hereafter contested, only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution of New York.

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

a26

**RESOLUTION OF THE TOWN BOARD OF CHEEKTOWAGA, NEW YORK, ADOPTED APRIL 18, 1956, AUTHORIZING THE ISSUANCE OF \$4,800.00 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE CONSTRUCTION OF A LATERAL SEWER.**

WHEREAS, Sewer District No. 5, hereinafter referred to, is a sewer district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town, pursuant to and in accordance with the provisions of the Town Law of New York, and said Sewer District has constructed and now maintains a trunk system of sewers in said District in accordance with Article 12 of the Town Law of New York, and the lateral sewer hereinafter described is to be connected with said trunk system of sewers and will be entirely within said District, and the purpose, hereinafter described is a special improvement authorized by said Article 12;

NOW THEREFORE,  
BE IT RESOLVED, by the Town Board of the Town of Cheektowaga, in the County of Erie, as follows:

Section 1. In order to finance the specific object or purpose, hereinafter described, the Town of Cheektowaga, in the County of Erie, shall issue its Serial Bonds of the aggregate principal amount of \$4,800.00 pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the construction of a lateral sewer in that portion of Oriole Place extending from Mildred Drive west to Fredrick Drive, a distance of approximately 540 feet, so as to serve both sides of said highways, in accordance with a resolution adopted by the Town Board of the said Town of Cheektowaga, on the 3rd day of October, 1955.

Section 3. The expense of making the improvement described in Section 2 of this resolution shall be borne by local assessment upon the several lots and parcels of land which the Town Board shall determine and specify to be especially benefitted by such improvement, an amount sufficient to pay the principal of and interest on said Serial Bonds, as the same shall become due, shall be annually apportioned and assessed upon the several lots and parcels of land especially benefitted by such improvement in proportion to the amount of benefit which the improvement shall confer upon the same, in accordance with Sub-division 2 of Section 281 of the Town Law of New York.

Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board of \$4,800.00 and (b) no

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

RESOLUTION, DATED  
MAY 21, 1934, AUTHORIZING  
THE ISSUANCE OF \$4,000.00  
SERIAL BONDS OF THE TOWN  
OF CHEEKTOWAGA, IN THE  
COUNTY OF ERIE, PURSUANT  
TO THE LOCAL FINANCE  
LAW, TO FINANCE THE CON-  
STRUCTION OF A WATER

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being duly sworn, deposes and says that he is the

PUBLISHER

of

## The Cheektowaga Sun

public newspaper published in the Town of Cheektowaga,

Erie County, New York, that notice of which the

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

is inserted and published therein once a week for

one week, the first insertion being on the

11th day of April, 1936, and

the last insertion being on the day of

1936, and that not

more than six days intervened between any two publi-

cations thereof.

*Edwin F. Gross*

Sworn to before me this 7th day of

May, 1936

*Kenneth T. Beale*  
Notary Public in and for Erie County

STATE OF NEW YORK  
COUNTY OF ERIE

BOND RESOLUTION, DATED  
APRIL 13, 1964, AUTHORIZING  
THE ISSUANCE OF \$4,800.00  
SERIAL BONDS OF THE TOWN  
OF CHEEKTOWAGA, IN THE  
COUNTY OF ERIE, PURSUANT  
TO THE LOCAL FINANCE  
LAW, TO FINANCE THE CON-  
STRUCTION OF A LATERAL  
SEWER.

WHEREAS, Sewer District No. 8, hereinafter referred to, is a sewer district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town, pursuant to and in accordance with the provisions of the Town Law of New York, and said Sewer District has constructed and now maintains a trunk system of sewers in said District in accordance with Article 12 of the Town Law of New York, and the lateral sewer hereinafter described is to be connected with said trunk system of sewers and will be entirely within said District, and the purpose, hereinafter described, is a special improvement authorized by said Article 12:

NOW THEREFORE,  
BE IT RESOLVED, by the Town Board of the Town of Cheektowaga, in the County of Erie, as follows:

Section 1. In order to finance the specific object or purpose, hereinafter described, the Town of Cheektowaga, in the County of Erie, shall issue its Serial Bonds of the aggregate principal amount of \$4,800.00 pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the construction of a lateral sewer in that portion of Oriole Place extending from Mildred Drive west to Frederick Drive, a distance of approximately 540 feet, so as to serve both sides of said highways, in accordance with a resolution adopted by the Town Board of the said Town of Cheektowaga on the 3rd day of October, 1963.

Section 3. The expense of making the improvement described in Section 2 of this resolution shall be borne by local assessment upon the several lots and parcels of land which the Town Board shall determine and specify to be especially benefitted by such improvement. An amount sufficient to pay the principal of and interest on said Serial Bonds, as the same shall become due, shall be annually apportioned and assessed upon the several lots and parcels of land especially benefitted by such improvement in proportion to the amount of benefit which the improvement shall confer upon the same, in accordance with Sub-division 2 of Section 221 of the Town Law of New York.

Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board of \$4,800.00 and (b) the money has heretofore been authorized to be applied to the payment of the cost of said purpose and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be levied against property in said Town.

Section 5. It is hereby determined that said purpose is an object or purpose described in Sub-division 4 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is thirty years.

Section 6. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of five years.

Section 7. The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said money, or the provisions of law which should be 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 such publication; or if said obligations are authorized in violation of the provisions of the Constitution of New York.

Section 8. This resolution shall be published in full by the Town Clerk of said Town, together with a notice of substantially the form prescribed by Section 81.00 of the Local Finance Law, and such publication shall be in the Depew Herald and Cheektowaga News and the Cheektowaga Sun, newspapers having a general circulation in the Township.

Section 9. This resolution shall take effect immediately upon its adoption.

The bond resolution published herewith has been adopted on the 19th day of April, 1964 and the validity of the obligations authorized by such bond resolution may be hereafter contested, only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga in the County of Erie, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution of New York.

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

Councilman Trojanosky presented the following resolution and moved its adoption:

BOND ANTICIPATION NOTE RESOLUTION DATED APRIL 19, 1956  
AUTHORIZING THE ISSUANCE OF \$4,800.00 SERIAL BONDS OF  
THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT  
TO THE LOCAL FINANCE LAW, TO FINANCE THE CONSTRUCTION OF  
A LATERAL SEWER.

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

Section 1. The Board of the Town of Cheektowaga, in the County of Erie, shall issue its bond anticipation notes of the aggregate principal amount of \$4,800.00 pursuant to the Local Finance Law of New York, in order to finance in Sewer District No. 5, of the Town of Cheektowaga the construction of a lateral sewer in that portion of Oriole Place extending from Mildred Drive, west, to Frederick Drive, a distance of approximately 540 feet, so as to serve both sides of said highway, in anticipation of the sale of \$4,800.00 Serial Bonds of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law, to finance the construction of a lateral sewer, in accordance with a Bond Resolution adopted by the Town Board on the 16th day of April, 1956.

Section 2. As required by the Local Finance Law, it is hereby stated that (a) there are no outstanding Bond Anticipation Notes issued in anticipation of the said Serial Bonds, and (b) the notes authorized by this resolution are not renewal notes, and (c) the notes described in this resolution shall mature within one year from date of their issue, and (d) such notes are issued in anticipation of bonds for an assessable improvement.

Section 3. Notes issued pursuant to this resolution shall be payable not later than one year from the date of said notes, and shall bear interest at a rate which shall not exceed five per cent (5%) per annum, payable at maturity. The power to prescribe the terms, form and contents of such notes, subject to the provisions of this resolution, and to sell and deliver said notes, is hereby delegated to the Town Supervisor. The Town Supervisor and the Town Clerk are hereby directed to sign any notes issued pursuant to this resolution and to affix to such notes the corporate seal of the Town of Cheektowaga.

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

|                       |        |     |
|-----------------------|--------|-----|
| Supervisor Holtz      | Voting | AYE |
| Councilman Neibert    | "      | "   |
| Councilman Bystrak    | "      | "   |
| Councilman Wroblewski | "      | "   |
| Councilman Nagel      | "      | "   |
| Councilman Kornecki   | "      | "   |
| Councilman Trojanosky | "      | "   |

AYES: -7-

NOES: -0-

ABSENT: -0-

12  
24

Item No. 9 Councilman Bystrak moved, seconded by Councilman Kornecki, that the New York State Gas & Electric Corporation be authorized and directed to install one 2500 lumen street light in front of No. 232 Central Blvd., and one 2500 lumen additional street light at the east end exist of Disposal Plant No. 5 and be it

FURTHER RESOLVED, to move present light from Pole No. 4 to Pole No. 5 on Old Genesee Street.

CARRIED: AYES: -7-

27

Item No. 10 Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the Zoning Board of Appeals held a public hearing on the 15th day of February, 1956, on the application of HENRY P. TOMIAK and FRANCES A. TOMIAK to rezone from a Residential District to a Business District, the premises known as , Cheektowaga, New York, at which public hearing a large number of property owners in the immediate vicinity appeared and protested the granting of the application, and



Item No. 10-Cont'd HENRY P. TOMIAK and FRANCES A. TOMIAK

WHEREAS, on the 29th day of February, 1956, the Zoning Board of Appeals after inspecting the property in the area, recommended to the Town Board that the premises should remain in a Residential District, and

WHEREAS, since that time several individuals have requested the Town Board to permit the petitioner Henry P. Tomiak, who is a dentist licensed to practice his profession in the State of New York, to maintain a Dentist Office at the above address, in which letters and communications it is pointed out the scarcity of dentists in the Town of Cheektowaga, and

WHEREAS, the property owners in the immediate vicinity are opposed to the rezoning of any property in the immediate area for business purposes, and

WHEREAS, the petitioner Dr. Henry P. Tomiak has informed the Town Board that as soon as he is financially able to do so, he will erect on the premises additional living quarters for his family.

BE IT RESOLVED, that the application of the petitioner to rezone from a Residential District to a Business District, the premises known as Road be and the same is hereby denied, and be it further

RESOLVED, that permission be granted Dr. Henry P. Tomiak to maintain a dental office at 4650 Union Road, with the understanding that within one year from the date hereof, the petitioner shall construct on the premises additional living quarters for his family and use the premises for residential purposes in addition to his dental office.

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

|                       |            |
|-----------------------|------------|
| Supervisor Holtz      | Voting AYE |
| Councilman Nagel      | " "        |
| Councilman Wroblewski | " "        |
| Councilman Kernecki   | " "        |
| Councilman Trojanosky | " "        |
| Councilman Neibert    | " "        |
| Councilman Bystrak    | " NAYE     |

19 AYES: -6-

NAYES: -1-

ABSENT: -0-

Item No. 11 Councilman Nagel moved, seconded by Councilman Wroblewski, to adjourn.

SEAL

Kenneth T. Hanley, Town Clerk.

Item No. 1 At a special meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 26th day of April, 1956, at 7:30 o'clock P.M., E.D.S.T., there were:

PRESENT: Supervisor Benedict T. Holts  
Councilman Henry J. Nagel  
Councilman Felix T. Wroblewski  
Councilman Joseph Kernecki  
Councilman Joseph Trojanosky  
Councilman Joseph A. Neibert  
Councilman Stanley R. Bystrak

Also present were: Town Clerk Kenneth T. Hanley; Town Attorney George B. Doyle and Justice of the Peace Ralph J. Radwan.

Item No. 2 The Supervisor announced that this special meeting was called for the purpose of processing and issuing various permits and applications submitted by the New York Central Railroad Company for the modernization of their railroad yards in the Harlem-Walden Area of the Town of Cheektowaga.

At the request of the Supervisor the Town Clerk read the following communication:

NEW YORK CENTRAL SYSTEM

April 19, 1956

To the Honorable Town Board  
Town of Cheektowaga, New York.

Gentlemen:

We desire to prevent any possible misunderstanding, and therefore we do hereby restate:

That we have abandoned our plan for constructing in your Town any structure for, or incidental to, the feeding of livestock or for car cooorage or car cleaning.

We contemplate that all such structures for feeding of livestock, car cooorage, and/or car cleaning will be located elsewhere than in the Town of Cheektowaga.

Respectfully yours,

W.T. Alexander Jr.

At the request of the Supervisor the Town Clerk read the following memorandum:

MEMORANDUM

RE: BUILDING PERMITS FOR NEW YORK CENTRAL RAILROAD

The Town Board of the Town of Cheektowaga, New York, in 1942 adopted zoning ordinances and placed the railroad yards of the New York Central Railroad, west of Harlem Avenue bordering on Walden Avenue, in a First Industrial District. At the time of the adoption of the ordinances the railroad company was using this property for certain railroad purposes. It acquired a vested interest to continue to use the property for railroad purposes notwithstanding the adoption of the ordinances for existing non-conforming uses.

The Court of Appeals in People vs Miller, 304 N.Y. 105, stated the rule as follows:

" In this State, then, existing nonconforming uses will be permitted to continue despite the enactment of a prohibitory zoning ordinance, of, and only if, enforcement of the ordinance would, by rendering valueless substantial improvements or businesses built up over the years, cause serious financial harm to the property owners. This rule, with its emphasis upon pecuniary and economic loss, is clearly inapplicable to a purely incidental use of property for recreational or amusement purposes only.

It would seem, therefore, that the railroad company has the undoubted right to use the property heretofore mentioned for any of the railroad purposes for which it was using the property prior to the adoption of the ordinances. It may even expand on the same property its operations so long as they are the same in general as those which existed when the ordinances were adopted. The same case heretofore cited held, as follows:

" A nonconforming use may be continued and expanded if it is the same business in character as that conducted by defendant before the ordinance was adopted."

There are many cases in our courts which uphold the right of a property owner to continue and to expand a nonconforming use.

The property of the New York Central Railroad Company under consideration was not used prior to the adoption of the ordinances for feeding of livestock, car cooperage, or car cleaning. This property cannot be put to such uses without applying to the Town Board to rezone the property to permit such uses.

The New York Central Railroad Company is a private corporation engaged in furnishing a public service, but it is subject to the restrictions contained in the ordinances to the same extent as a private person. Only in extreme cases has the court held zoning ordinances to be inapplicable.

The withdrawal by the railroad company of the applications for building permits for feeding of livestock, car cooperage and car cleaning is an indication the railroad company recognizes the validity of the zoning ordinances. They have given the Town Board written assurance that they intend to locate these various enterprises elsewhere than in the Town of Cheektowaga. They have complied with the reasonable request of the Town Board and the Town Board should permit the to withdraw the applications for livestock feeding, car cooperage and car cleaning.

The remaining applications relate to improving and expanding railroad facilities upon its property. It can do this without applying for rezoning for the reason that the railroad company has used this property long before the adoption of the zoning Ordinances for the same purposes now contemplated.

The application for the remaining permits relate in part to the demolition of certain buildings and their replacement with buildings of a modern type. For instance, one building is being erected at the request of railroad employees for their comfort and convenience. They have fought for this improvement for many months and have finally obtained the consent of the railroad company to replace the building with additional modern facilities.

Surely, the Town Board would be unjustified in preventing this improvement being made. Not only will these improvements be added to the tax rolls, but Cheektowaga itself requires an expansion of the railroad facilities now provided by the New York Central Railroad Company. There are many miles of vacant property along the railroads in Cheektowaga which the town is confident will eventually be used for industrial purposes requiring railroad sidings. Members of the Town Board are cognizant of the fact that many new industries are purchasing property bordering on the railroad with the intention of developing the property industrially. The expansion of the facilities of the New York Central Railroad Company is necessary in order to provide railroad facilities for these new industries.

The Town of Cheektowaga would be justified in requesting the New York Central Railroad Company to expand its facilities for the general welfare of the Town of Cheektowaga, New York.

Dated: April 20, 1956.

Respectfully submitted,

George B. Doyle, Town Attorney.

The following spoke in opposition in relation to the Town Board approving the applications of the New York Central Railroad for modernization of their facilities in the Harlem Road-Walden Avenue area of the town:

Mr. William Miller, Editor of the Walden Avenue Brief.

Mr. Ralph J. Radwan. Attorney for the Walden Avenue Polish-American Taxpayers Association.

At the request of Supervisor Holtz the Town Board was polled to the effect that they would deny any application of the New York Central Railroad Company to rezone premises from First Industrial to Second Industrial.

Mr. Goldbery, Resident Manager of the Thruway Plaza, Inc., requested that the Town Board table the applications for at least two weeks so that his organization could further study the proposed plans and specifications.

Dr. Victor Reinstein was granted the floor and recommended to the Board that a sewer agreement should be made between the New York Central Railroad and the Town of Cheektowaga and that the compensation should go to Sewer District No. 3.

Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the applications of the New York Central Railroad Company now pending before this Town Board, be tabled until May 7, 1956 at 2:30 P.M.

Seconded by Councilman Kornecki.

CARRIED: AYES: -7-

15  
42

Item No. 3  
to adjourn.

Councilman Bystrak moved, seconded by Councilman Neibert,

SEAL

Kenneth T. Hanley, Town Clerk.

*Kenneth T. Hanley*

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 7th day of May, 1956, at 2:30 o'clock P.M., E.D.S.T., there were:

|                            |            |
|----------------------------|------------|
| PRESENT: Benedict T. Holtz | Supervisor |
| Henry J. Nagel             | Councilman |
| Felix T. Wroblewski        | "          |
| Joseph Kornecki            | "          |
| Joseph Trojanosky          | "          |
| Joseph A. Neibert          | "          |
| Stanley R. Bystrak         | "          |

Also present were: Town Clerk Hanley; Town Attorney Doyle; Town Engineer Kamm; Highway Superintendent Zablotny and Building Inspector Trafalski.

Item No. 2 The Clerk advised the Board that a copy of the minutes of the previous meeting has been placed on their desk in the Council Chamber.

Item No. 3 Petition for the improvement of Mansion Street by the installation of curbing, etc., ordered referred to the Assessors for a property check. 17  
29A

Item No. 4 Communication read from the Erie County Highway Department relating to a traffic signal light at the intersection of Cleveland Drive and Mt. Vernon Road. Ordered referred to Councilman Wroblewski. 9  
41

Item No. 5 Communication read from Norman Frick Commander 102 BN Post 9216 VFW relating to the sale of poppies in the Town on May 24th, 1956. 10  
12  
Ordered referred to the Town Board.

Item No. 6 Petition filed against the decision of the Town Board in relation to Dr. Tomiak practicing dentistry at No. 4650 Union Road, ordered referred to the Chairman of the Petitions Committee who in turn called a special meeting for 11:30 A.M., on Saturday May 12, 1956. 17  
19

Item No. 7 Councilman Bystrak moved, seconded by Councilman Kornecki, that the request of Dr. Louis Vendetti, Town Health Officer, to attend a conference at Lake Placid, New York on June 3, 1956 to June 7th, 1956, be granted. 43

Item No. 8 Councilman Neibert moved, seconded by Councilman Trojanosky, that the request of V.F.W Post No. 2429 Cheektowaga be granted permission to sell poppies on May 24th and 25th, 1956. 10  
42

Item No. 9 Councilman Wroblewski moved, seconded by Councilman Neibert, that the Town Clerk be authorized and directed to issue building permits on applications processed by the Petitions Committee on April 21 & 28th 1956--May 5-7 1956, after same have been approved by the Building inspector.

CARRIED AYES -7-

NOES -0-

15

Item No. 10 Councilman Bystrak moved, seconded by Councilman Wroblewski,

#### RESOLUTION

WHEREAS, the State of New York has indicated, pursuant to Chapter 660 of the Laws of 1943, that it will contribute 50 per cent of the cost of the plans of approved municipal projects within the limits set by such chapter, and

WHEREAS, the Town of Cheektowaga Sewer District No. 3 wishes to make application for a grant towards the cost of the preparation of the plans for the projects listed (estimated construction cost shown). Now, therefore, be it

RESOLVED, that Town of Cheektowaga submit these projects for consideration by the New York State Postwar Public Works Planning Commission with the request that an allocation be granted by such Commission for 50 per cent of the cost of the preparation of the plans of such projects, and be it further

RESOLVED, that when and if such Commission approve any or all of these projects, and when and if such Commission allocates one-half the cost of the preparation of the plans of such approved projects, the Town of Cheektowaga will make available a sum equal to that allocated by the Commission.

|           |                       |
|-----------|-----------------------|
| Signature | _____                 |
| Title     | Supervisor            |
| Address   | Town Hall             |
|           | Broadway & Union Road |
|           | Buffalo 25, N.Y.      |

CARRIED AYES -7-

8  
42

Item No. 11 Councilman Bystrak moved, seconded by Councilman Wroblewski,

RESOLUTION

WHEREAS, the State of New York has indicated, pursuant to Chapter 660 of the Laws of 1943, that it will contribute 50 per cent of the cost of the plans of approved municipal projects within the limits set by such chapter, and

WHEREAS, the Town of Cheektowaga Sewer District No. 5 wishes to make application for a grant towards the cost of the preparation of the plans for the projects listed (estimated construction cost shown), Now, therefore, be it

RESOLVED, that the Town of Cheektowaga submit these projects for consideration by the New York State Postwar Public Works Planning Commission with the request that an allocation be granted by such Commission for 50 per cent of the cost of the preparation of the plans of such projects, and be it further

RESOLVED, that when and if such Commission approves any or all of those projects, and when and if such Commission allocates one-half the cost of the preparation of the plans of such approved projects, the Town of Cheektowaga will make available a sum equal to that allocated by the Commission.

Signature \_\_\_\_\_  
Title Supervisor  
Address Cheektowaga Town Hall  
Broadway and Union Rd.  
Cheektowaga 25, New York

CARRIED ayes -7-

Item No. 12 Councilman Kornecki presented the following resolution and moved its adoption:

Whereas, the Building Officials Conference of American Incorporated are having their annual conference in Hartford, Connecticut, May 21st through 24th, 1956.

Be it resolved that the Plumbing & Building Inspector and the Chairman of the Petitions Committee be authorized to attend this conference. All expenses reimbursed by the Town of Cheektowaga.

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

|            |                    |        |            |
|------------|--------------------|--------|------------|
| Supervisor | Benedict T. Holtz, | Voting | <u>AYE</u> |
| Councilman | Joseph Neibert,    | Voting | <u>AYE</u> |
| Councilman | Felix Wroblewski,  | Voting | <u>Aye</u> |
| Councilman | Stanley Bustrak,   | Voting | <u>AYE</u> |
| Councilman | Henry Nagel,       | Voting | <u>AYE</u> |
| Councilman | Joseph Kornecki,   | Voting | <u>AYE</u> |
| Councilman | Joseph Trojanosky, | Voting | <u>AYE</u> |

AYES -7-

NOES -0-

ABSENT -0-

Item No. 13 Councilman Trojanosky presented the following resolution and moved its adoption:

WHEREAS, the roof on the Town Hall is in need of immediate repair, and

WHEREAS, the Sloan Roofing Company has submitted an estimate in the amount of \$925.00, be it

RESOLVED, that the Supervisor be authorized to enter into contract with the Sloan Roofing Company for them to apply two (2) plys of asphalt felt where roof is buckled and broken, to coat the entire roof with hot asphalt as a finished roof and to repair all wall flashing where seams are broken with fabric and roofing cement at a cost not to exceed \$950.00.

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

|            |                    |        |            |
|------------|--------------------|--------|------------|
| Supervisor | Benedict T. Holtz, | Voting | <u>AYE</u> |
| Councilman | Joseph A. Neibert, | Voting | <u>AYE</u> |
| Councilman | Felix Wroblewski,  | Voting | <u>AYE</u> |
| Councilman | Stanley Bystrak,   | Voting | <u>AYE</u> |
| Councilman | Henry Nagel,       | Voting | <u>AYE</u> |
| Councilman | Joseph Kornecki,   | Voting | <u>AYE</u> |
| Councilman | Joseph Trojanosky, | Voting | <u>AYE</u> |

AYES -7-

NOES -0-

ABSENT -0-

Item No. 14 Councilman Tojanosky presented the following resolution and moved its adoption:

91

WHEREAS, emergency sewer repairs were required on Seton Road and were ordered by the Town Engineer, and

WHEREAS, the cost of work and material amounted to \$271.96, be it,

RESOLVED, that the voucher of Straco, Inc. in the amount of \$271.96 to do the work and furnish the material be approved and ordered paid.

Seconded by Councilman Kornecki and duly put to a vote which resulted as follows;

|            |                    |        |            |
|------------|--------------------|--------|------------|
| Supervisor | Benedict T. Holtz, | Voting | <u>AYE</u> |
| Councilman | Joseph A. Neibert, | Voting | <u>AYE</u> |
| Councilman | Felix Wroblewski,  | Voting | <u>AYE</u> |
| Councilman | Stanley Bystrak,   | Voting | <u>AYE</u> |
| Councilman | Henry Nagel,       | Voting | <u>AYE</u> |
| Councilman | Joseph Kornecki,   | Voting | <u>AYE</u> |
| Councilman | Joseph Trojanosky, | Voting | <u>AYE</u> |

AYES -7-

NOES -0-

ABSENT -0-

6  
24

Item No. 15 Councilman Kornecki presented the following resolution and moved its adoption:

WHEREAS, the New York Central Railroad Company has requested permission to withdraw application for building permits for feeding of livestock, car cooperage and car cleaning in connection with the railroad yards of the New York Central Railroad west of Harlem Road, bordering on Walden Avenue, be it

RESOLVED, that its request be granted, and be it further

RESOLVED, that the remaining applications for building permits for a tower office, sanding tower, fueling platform, transformer house and flood light towers be granted, there being no sewer connection to be made from said buildings, and be it further

RESOLVED, that the applications for building permits for the hump office and retarder tower office be granted, subject to the New York Central Railroad Company either obtaining a permit from the Erie County Health Department for the construction of septic tanks or entering into a contract with the Town of Cheektowaga, New York, to permit said building to be connected with the town sewer or that it enter into a contract with the City of Buffalo, New York for said sewer connection, and be it further

RESOLVED, that the New York Central Railroad Company be permitted to carry on its plans of expansion for railroad facilities as indicated on the plans and specifications on file in the Town Clerk's Office, providing that no part of said premises are used for feeding livestock, car cooperage or car cleaning.

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

|            |                      |        |            |
|------------|----------------------|--------|------------|
| Supervisor | Benedict T. Holtz,   | Voting | <u>AYE</u> |
| Councilman | Joseph A. Neibert,   | Voting | <u>AYE</u> |
| Councilman | Stanley R. Bystrak,  | Voting | <u>AYE</u> |
| Councilman | Felix T. Wroblewski, | Voting | <u>AYE</u> |
| Councilman | Henry J. Nagel,      | Voting | <u>AYE</u> |
| Councilman | Joseph Kornecki,     | Voting | <u>AYE</u> |
| Councilman | Joseph Trojanosky,   | Voting | <u>AYE</u> |

AYES -7-

NOES -0-

ABSENT -0-

15

Item No. 16 Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, Cherokee Park, Inc., has entered into an agreement with the Town of Cheektowaga, New York, wherein the said Cherokee Park, Inc., has agreed to plate topping on 104 feet on Melcourt Drive, West commencing 77 feet north of Dawn Street; 196 feet on Carmel Road commencing at Melcourt Drive, West, and ending at Melcourt Drive East; 1615 feet on Melcourt Drive East, commencing at beginning and ending at Lot 49, a total distance of approximately 1925 feet and has filed as security for the faithful performance of said agreement a surety bond in the sum of \$19,000.00 conditioned that it will comply in all respects with the aforementioned agreement.

BE IT RESOLVED, that the Supervisor be and he is hereby authorized to execute the annexed agreement between Cherokee Park Inc, and the Town of Cheektowaga, New York, on behalf of the Town of Cheektowaga, New York.

Item No. 16 cont'd. BE IT RESOLVED, That 104 feet of Melcourt Drive West, commencing 77 feet north of Dawn Street; 196 feet on Carmel Road commencing at Melcourt Drive West, and ending at Melcourt Drive East; 1615 feet on Melcourt Drive East, commencing at beginning and ending at Lot 49; be accepted as town highways under the jurisdiction of the Town Highway Superintendent,

That the said agreement is hereby approved as to form and sufficiency as is the account of the bond and the Town Attorney is hereby authorized to record in the Erie County Clerk's Office a deed to said highways.

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

|            |                      |        |       |
|------------|----------------------|--------|-------|
| Supervisor | Benedict T. Holtz,   | Voting | Aye - |
| Councilman | Joseph A. Neibert,   | Voting | Aye   |
| Councilman | Stanely R. Bystrak,- | Voting | Aye   |
| Councilman | Felix T. Wroblewski, | Voting | Aye   |
| Councilman | Henry J. Nagel,      | Voting | Aye   |
| Councilman | Joseph Kornecki,     | Voting | Aye   |
| Councilman | Joseph Trojanosky,   | Voting | Aye   |

AYES -7-

NOES -0-

ABSENT -0-

#### AGREEMENT

This Agreement made this 7 day of May, 1956 by and between the Town of Cheektowaga, a municipal corporation of the State of New York with its office and principal place of business in the County of Erie, State of New York, party of the first part and Cherokee Park, Inc., a domestic corporation, organized and existing under and by virtue of the laws of the State of New York, with its office and principal place of business located at 160 Keystone Street, Buffalo, New York, party of the second part;

#### WITNESSETH:

WHEREAS, the party of the second part is the owner of abutting property 104 feet on Melcourt Drive West, commencing 77 feet north of Dawn Street, 196 feet on Camel Road commencing at Melcourt Drive West, and ending at Melcourt Drive East; 1615 feet on Melcourt Drive East, commencing at beginning and ending at Lot 49 a total distance of approximately 1915 feet, as shown on a subdivision map filed in the Erie County Clerk's Office July 26, 1955 under map cover No. 1917, and

WHEREAS, the party of the second part has constructed the foundation for the highway and has also constructed in said highway, sanitary sewers and has entered into a contract with the Erie County Water Authority for the construction of a water line of said highway and has paid the Erie County Water Authority the cost thereof, and

WHEREAS, the party of the second part has requested the Town of Cheektowaga to accept, as Town Highways, 104 feet in Melcourt Drive West, commencing 77 feet north of Dawn Street; 196 feet on Camel Road, commencing at Melcourt Drive West, and ending at Melcourt Drive East; and 1615 feet in Melcourt Drive East commencing at beginning and ending at Lot 49, a total distance of approximately 1915 feet and has agreed to enter into a contract with the Town of Cheektowaga, New York, to place topping on said streets and complete the same so that the same will comply with the specifications of the Town Highway Department and the regulations of the Town of Cheektowaga, New York, it is hereby

AGREED, that the party of the second part agrees to place topping on 104 feet on Melcourt Drive West, commencing 77 feet north of Dawn Street; 196 feet on Camel Road, commencing at Melcourt Drive West, and ending at Melcourt Drive East; and 1615 feet on Melcourt Drive East, commencing at beginning and ending at Lot 49, a total distance of approximately 1915 feet on or before July 1, 1957. It further agrees, where necessary to reconstruct, the foundation of said highways and complete the same so that said highways will conform in every respect, with the specifications of the Town Highway Department and the regulations of the Town of Cheektowaga, New York, it is further

UNDERSTOOD AND AGREED, that the party of the second part will furnish the party of the first part, a Surety Bond, executed by a Bonding Company authorized to do business in the State of New York, in the sum of \$19,000.00, said Bond to provide, that the party of the second part will in all respects, conform with the terms and conditions of this Agreement and the accompanying resolution of the Town Board on or before July 1, 1957. In the event the party of the second part fails to live up to the terms of this Agreement, the party of the first part is authorized to complete said highway so that the same shall comply in every respect with the minimum specifications of the Town Highway Department and the regulations of the Town of Cheektowaga, New York, and all expenses incurred by it in completing said highways shall be paid by the party of the second part and its surety, and in the event the sum of \$19,000.00 is insufficient to pay such cost, then the party of the second part hereby agrees to pay sum required in excess of that amount, it is however,



Item No. 16 cont'd.

~~AGREED~~, that the maximum liability of the Surety Company is limited to the sum of \$19,000.00.

92

Upon filing with the Town Board and executed copy of this Agreement and the Surety Company Bond, it is agreed that the party of the first part does hereby accept said highways as town highways, subject to the jurisdiction of the Town Highway Superintendent.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

TOWN OF CHEEKTOWAGA, NEW YORK

BY: Benedict T. Holtz,

CHEROKEE PARK, INC.

BY: Robert B. Ledger

33  
13

Item No. 17 Councilman Wroblewski moved, seconded by Councilman Nagel, that Melcourt Sub Division Map prepared by Herthe and Sonnenberger, Engineers, dated April 30, 1956, be approved and ordered filed in the Assessors Office.

34  
13

CARRIED AYES -7-

Item No. 18 Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the Niagara Mohawk Power Corporation be authorized to install one (1) 2500 lumen lighting standard on Pole No. 13 situate in North 15th Avenue in the Town of Cheektowaga, New York.

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

|            |                       |        |     |
|------------|-----------------------|--------|-----|
| Supervisor | Benedict T. Holtz,    | Voting | Aye |
| Councilman | Joseph A. Neibert,    | Voting | Aye |
| Councilman | Henry J. Nagel,       | Voting | Aye |
| Councilman | Felix T. Wroblewski,  | Voting | Aye |
| Councilman | Stanley B. Bystrak,   | Voting | Aye |
| Councilman | Joseph M. Trojanosky, | Voting | Aye |
| Councilman | Joseph Kornecki,      | Voting | Aye |

AYES -7-

NOES -0-

ABSENT -0-

37

Item No. 19 Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the Niagara Mohawk Power Corporation be authorized to install, in replacement, a "1348" Lighting Standard at 33 Ravenswood Terrace in the Town of Cheektowaga, New York.

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

|            |                       |        |     |
|------------|-----------------------|--------|-----|
| Supervisor | Benedict T. Holtz,    | Voting | Aye |
| Councilman | Henry J. Nagel,       | Voting | Aye |
| Councilman | Felix T. Wroblewski,  | Voting | Aye |
| Councilman | Joseph A. Neibert,    | Voting | Aye |
| Councilman | Stanley B. Bystrak,   | Voting | Aye |
| Councilman | Joseph M. Trojanosky, | Voting | Aye |
| Councilman | Joseph Kornecki,      | Voting | Aye |

AYES -7-

NOES -0-

ABSENT -0-

37

Item No. 20 Councilman Bystrak, presented the following resolution and moved its adoption:

RESOLVED, that the New York State Electric and Gas Corporation be authorized to install a 2500 lumen Lighting standard on poles No. 7 and No. 8 situated at Rowley Road in the Town of Cheektowaga, New York.

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

Item No. 20 cont'd.

|            |                      |        |     |
|------------|----------------------|--------|-----|
| Supervisor | Benedict T. Holtz,   | Voting | Aye |
| Councilman | Joseph A. Neibert,   | Voting | Aye |
| Councilman | Henry J. Nagel,      | Voting | Aye |
| Councilman | Felix T. Wroblewski, | Voting | Aye |
| Councilman | Stanley R. Bystrak,  | Voting | Aye |
| Councilman | Joseph Trojanosky,   | Voting | Aye |
| Councilman | Joseph Kornecki,     | Voting | Aye |

21 AYES -7-

NOES -0-

ABSENT -0-

Item No. 21 NOTICE OF PUBLIC HEARING - BUFFALO TRANSIT COMPANY -

**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 the said Town of Cheektowaga, New York, on the 7th day of May, 1956 at 2:30 o'clock P.M., Eastern Daylight Saving Time, there were:

**PRESENT:**

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

**ABSENT: —0—**

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the Buffalo Transit Company, Inc., has made an application for consent of local authorities of the Town of Cheektowaga, New York, to operate omnibuses on and along the following streets and highways of the Town of Cheektowaga, New York:

1. Sugg Road, between Genesee Street and the rear entrance of the Westinghouse Plant.

2. Maryvale Drive, between East Tiorunda Drive and Community Drive.

3. East Tiorunda Drive, between South Tiorunda Drive and Maryvale Drive.

4. Oehman Avenue, between Cleveland Drive and Huth Road.

5. Aero Drive, between Ellicott Creek Road and the town line of the Town of Amherst, and

It is the intention of the Buffalo

Transit Company, Inc., to abandon its rights on Ellicott Creek Road between Aero Drive and the town line of the Town of Amherst, if and when, permission to operate over Aero Drive between Ellicott Creek Road and the town line of the Town of Amherst is approved, and

WHEREAS, by law, it is necessary that a public hearing be held on said application, be it

RESOLVED, 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 21st day of May, 1956 at 7:30 o'clock P.M., Eastern Daylight Saving Time, for the purpose of considering the advisability of granting the said petition for consent from the Town of Cheektowaga, New York, permitting the Buffalo Transit Company, Inc., to operate omnibuses on the streets above mentioned; that at such public hearing all persons interested in the subject matter thereof will be given an opportunity to be heard, and be it further,

RESOLVED and ORDERED, that the Town Clerk be and he is hereby ordered and directed to publish a certified copy of this resolution and order in the Depew Herald and Cheektowaga News, the Cheektowaga Sun, and the Buffalo Evening News, newspapers having a general circulation in said Town, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing; and that not less than ten (10) nor more than

twenty (20) days prior to the date of the hearing the Town Clerk post conspicuously or cause to be posted conspicuously, certified copies of this resolution and order in five (5) public places within the Township.

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

Supervisor Holtz, voting Aye  
Councilman Neibert, voting Aye  
Councilman Bystrak, voting Aye  
Councilman Wroblewski,

voting Aye

Councilman Nagel, voting Aye  
Councilman Kornecki, voting Aye  
Councilman Trojanosky, voting Aye  
AYES: 7; 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 7th day of May, 1956, 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 7th day of May, 1956.

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

Posted as follows on the 11th day of May, 1956:

- 1- Town Hall Bulletin Board;
- 2- Forks Fire Hall Bulletin Board-Broadway at Union Road;
- 3- U-Crest Fire Hall-Clover Place and Evergreen Street;
- 4- Pine Hill Fire House-Genesee at Normandy Avenue;
- 5- Rescue Fire Hall Bulletin Board-Pine Ridge Road.

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

At a regular meeting of the  
Town Board of the Town of Cheek-  
towaga, Erie County, New York,  
held at the Town Hall, in the said  
Town of Cheektowaga, New York,  
on the 7th day of May, 1956 at 2:30

Cheektowaga in said County of  
the Town Board of the Town  
office, and which was passed  
resolution now on file at  
copy of resolution with the  
State, have compared the fore-  
Cheektowaga, in the said County  
Hansley, Clerk of the Town of  
This is to certify that I, Kenneth  
of Cheektowaga  
of the (Clerk of the ) ss:  
County  
State of New York  
NOTES: 0: ABSENT: 0.  
Trojanosky, voting Aye  
Kenneth, voting Aye  
Nagel, voting Aye  
voting Aye

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  
..... *one* week, the first insertion being on the  
..... *10<sup>th</sup>* day of ..... *May*....., 19*56*, and  
the last insertion being on the ..... *10<sup>th</sup>* day of  
..... *May*....., 19*56*, and that not  
more than six days intervened between any two publi-  
cations thereof.

*Richard G. Bennett*

Sworn to before me this ..... day of

*MAY 18 1956*

19.....

*Kenneth T. Hansley*

Notary Public in and for Erie County

hn 11096-C8



STATE OF NEW YORK  
COUNTY OF ERIE

At a regular meeting of the  
Town Board of the Town of Cheek-  
towaga, Erie County, New York,  
held at the Town Hall, in the said  
Town of Cheektowaga, New York,  
on the 7th day of May, 1956 at 2:30  
o'clock P.M., Eastern Daylight Sav-  
ing Time, there were:

PRESENT:

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

ABSENT: —  
Councilman Wroblewski present-  
ed the following resolution and  
moved its adoption:

WHEREAS, the Buffalo Transit  
Company, Inc., has made an appli-

cation for the right to use  
the highways of the Town of  
Cheektowaga, New York:

1. Bagg Road, between Genesee  
Road and the rear entrance of the  
Washington Plant.

2. Maryvale Drive, between East  
Tiorunda Drive and Community  
Drive.

3. East Tiorunda Drive, between  
South Tiorunda Drive and Mary-  
vale Drive.

4. Oehman Avenue, between  
Cleveland Drive and Huth Road.

5. Aero Drive, between Ellicott  
Creek Road and the town line of  
the Town of Amherst, and

It is the intention of the Buffalo  
Transit Company, Inc., to abandon  
its rights on Ellicott Creek Road  
between Aero Drive and the town  
line of the Town of Amherst, if and  
when, permission to operate over  
Aero Drive between Ellicott Creek  
Road and the town line of the  
Town of Amherst is approved, and

WHEREAS, by law, it is neces-  
sary that a public hearing be held  
on said application, be it

RESOLVED, that the Town  
Board of the Town of Cheekto-  
waga, Erie County, New York, shall  
meet at the Town Hall, corner of  
Union Road and Broadway in said  
Town, on the 21st day of May, 1956  
at 7:30 o'clock P.M., Eastern Day-  
light Saving Time, for the purpose  
of considering the advisability of  
granting the said petition for con-  
sent from the Town of Cheekto-  
waga, New York, permitting the  
Buffalo Transit Company, Inc., to  
operate omnibuses on the streets  
above mentioned; that at such pub-  
lic hearing all persons interested in  
the subject matter thereof will be

advised by the Town Clerk by  
order and directed to publish  
a certified copy of this resolution  
and order in the Depew Herald  
and Cheektowaga News, the Cheek-  
towaga Sun, and the Buffalo Eve-  
ning News, newspapers having a  
general circulation in said Town,  
not less than ten (10) nor more  
than twenty (20) days prior to the  
date of the hearing; and that not  
less than ten (10) nor more than  
twenty (20) days prior to the date  
of the hearing the Town Clerk post  
conspicuously or cause to be post-  
ed conspicuously, certified copies  
of this resolution and order in five  
(5) public places within the Town-  
ship.

Seconded by Councilman Kor-  
necki, and duly put to a vote, which  
resulted as follows:

Supervisor Holtz, voting Aye  
Councilman Neibert, voting Aye  
Councilman Bystrak, voting Aye  
Councilman Wroblewski,

voting Aye

Councilman Nagel, voting Aye

Councilman Kornecki, voting Aye

Councilman Trojanosky, voting Aye

AYES: 7; 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 fore-  
going 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

recognition and the same shall  
be in Witness Whereof,  
I have hereunto set my hand  
and affixed the seal of said  
Town this 7th day of May,  
1956.

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

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

EDWIN K. GROSS

being duly sworn, deposes and says that he is the

PUBLISHER

of

## The Cheektowaga Sun

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

was inserted and published therein once a week for

one week, the ~~last~~ insertion being on the

12th day of May, 1956, and

the last insertion being on the \_\_\_\_\_ day of

\_\_\_\_\_, 19\_\_\_\_, and that not

more than six days intervened between any two publi-

cations thereof.

Edwin K. Gross

Sworn to before me this 12th day of

May, 1956

Kenneth T. Henry

Notary Public in and for Erie County

STATE OF NEW YORK  
COUNTY OF ERIE

11

to the intention of the Buffalo Transit Company, Inc., to acquire its rights on Elliott street, located between Aero Drive and the town line of the Town of Cheektowaga, and when, pursuant to a grant over Aero Drive between Elliott Creek Road and the town line of the Town of Cheektowaga, approved, and

WHEREAS, by act, it is necessary that a public hearing be held on said application, be it

RESOLVED, 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 11th day of May, 1929 at 7:30 o'clock P.M., Eastern Daylight Saving Time, for the purpose of considering the advisability of granting the said petition for consent from the Town of Cheektowaga, New York, permitting the Buffalo Transit Company, Inc., to acquire easements on the streets above mentioned, that at such public hearing all persons interested in the subject matter thereof will be given an opportunity to be heard, and be it further

RESOLVED and ORDERED, that the Town Clerk be and he is hereby ordered and directed to publish a certified copy of this resolution and order in the BUFFALO HERALD AND CHEEKTOWAGA NEWS, the CHEEKTOWAGA SUN, and the BUFFALO EVENING NEWS, newspapers having a general circulation in said Town, not less than ten (10) nor more than twenty (20) days prior to the date

and hereby that that not less than the 10th day after the giving of the above notice the date of the hearing the Town Clerk post conspicuously or cause to be posted conspicuously, certified copies of this resolution and order in five (5) public places within the Township.

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

Supervisor Benedict T. Hetta, voting Aye; Councilman Joseph A. Natter, voting Aye; Councilman Stanley R. Bystrak, voting Aye; Councilman Felix T. Wroblewski, voting Aye; Councilman Henry J. Nagel, voting Aye; Councilman Joseph Kornegi, voting Aye; Councilman Joseph Trojaneky, voting Aye.

AYES 1 NOES 0 ABSENT 0  
STATE OF NEW YORK  
ERIE COUNTY  
Office of the Clerk of the  
TOWN OF CHEMUNGWASCA

This is to certify that I, **HERBERT T. HANLEY**, Clerk of the Town of Cheekwaga, 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 Cheekwaga in said County of Erie on the 7th day of May, 1924 and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 7th day of May, 1924.

**KENNETH T. HANLEY**  
Clerk of the Town Board,  
Town of Cheshawere,  
New York

Sworn to before me this 12th day of

May 1956

Notary Public in and for E

**Notary Public in and for Erie County**



## State of New York

ERIE COUNTY

Town Hall in the said town of Cheektowaga, New York, on the 14th day of May, 1964, at 2:00 o'clock P. M. Eastern Standard Saving Time, there were:

**PRESIDENT:** Benedict T. Bolla, Supervisor; **Joseph A. Neibert, Councilman;** Stanley R. Bystrak, Councilman; Felix Wroblewski, Councilman; Henry J. Nagel, Councilman; **Joseph Kordecki, Councilman;** **Joseph Trojanecky, Councilman;** **None.**

**WHEREAS,** the Buffalo Transit Company, Inc., has made an application for consent of local authorities of the Town of Cheektowaga, New York, to operate omnibuses on and along the following streets and highways of the Town of Cheektowaga, New York:

1. Guss Road, between Genesee Street and the rear entrance of the Westinghouse Plant;  
2. Marryvale Drive, between East Tioconda Drive and Community Drive;  
3. East Tioconda Drive, between South Tioconda Drive and Marryvale Drive;

4. Odessa Avenue, between Cleveland Drive and Rush Road;  
5. Aero Drive, between Ellicott Creek Road and the town line of the Town of Amherst, and

6. the intention of the Buffalo Transit Company, Inc., to abandon its route on Ellicott Creek Road between the town line of the Town of Amherst and the town line of the Town of Cheektowaga, New York, to operate over Aero Drive between Ellicott Creek Road and the town line of the Town of Amherst, is approved;

**WHEREAS,** by law, it is necessary that a public hearing be held on said application;

**AND WHEREAS,** 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 14th day of May, 1964, at 2:00 o'clock P. M. Eastern Standard Saving Time, for the purpose of considering the advisability of granting the said application for consent from the Town of Cheektowaga, New York, regarding the Buffalo Transit Company, Inc., to operate omnibuses on the streets and highways mentioned; that a public hearing be held on said application in the subject matter thereof will be given an opportunity to be heard;

**AND WHEREAS,** and **ORDERED,** that the Town Clerk be and he is hereby ordered and directed to publish a certificate of this resolution and order.

**ATTEST:** **JOSEPH KORDECKI, Councilman**  
**JOSEPH TROJANECKY, Councilman**  
**None.**

**JOSEPH KORDECKI, Councilman**  
**JOSEPH TROJANECKY, Councilman**  
**None.**

**JOSEPH KORDECKI, Councilman**  
**JOSEPH TROJANECKY, Councilman**  
**None.**

**JOSEPH KORDECKI, Councilman**  
**JOSEPH TROJANECKY, Councilman**  
**None.**

**JOSEPH KORDECKI, Councilman**  
**JOSEPH TROJANECKY, Councilman**  
**None.**

**JOSEPH KORDECKI, Councilman**  
**JOSEPH TROJANECKY, Councilman**  
**None.**

**JOSEPH KORDECKI, Councilman**  
**JOSEPH TROJANECKY, Councilman**  
**None.**

**JOSEPH KORDECKI, Councilman**  
**JOSEPH TROJANECKY, Councilman**  
**None.**

**JOSEPH KORDECKI, Councilman**  
**JOSEPH TROJANECKY, Councilman**  
**None.**

**JOSEPH KORDECKI, Councilman**  
**JOSEPH TROJANECKY, Councilman**  
**None.**

**JOSEPH KORDECKI, Councilman**  
**JOSEPH TROJANECKY, Councilman**  
**None.**

**JOSEPH KORDECKI, Councilman**  
**JOSEPH TROJANECKY, Councilman**  
**None.**

**JOSEPH KORDECKI, Councilman**  
**JOSEPH TROJANECKY, Councilman**  
**None.**

**JOSEPH KORDECKI, Councilman**  
**JOSEPH TROJANECKY, Councilman**  
**None.**

**JOSEPH KORDECKI, Councilman**  
**JOSEPH TROJANECKY, Councilman**  
**None.**

**JOSEPH KORDECKI, Councilman**  
**JOSEPH TROJANECKY, Councilman**  
**None.**

**JOSEPH KORDECKI, Councilman**  
**JOSEPH TROJANECKY, Councilman**  
**None.**

**JOSEPH KORDECKI, Councilman**  
**JOSEPH TROJANECKY, Councilman**  
**None.**



Item No. 22 This being the time and the place advertised for the receiving of sealed bids for the purchase of two (2) POLICE AUTOMOBILES for use in the POLICE DEPARTMENT.

The Town Clerk presented proof that the Notice to Bidders has been duly published and posted as required by law.

Hereto are a list of the bids received:

|                       |          |
|-----------------------|----------|
| Mernan Chevrolet..... | 3,025.40 |
| Maroone Ford.....     | 3,822.00 |
| Taylor O'Brien.....   | 3,716.50 |
| Suor Chevrolet.....   | 3,652.00 |

The chairman ordered the bids referred to the Town Board and the Chief of Police for analysis and tabulation.

Item No. 23 This being the time and the place advertised for the receiving of sealed bids for the purchase of two (2) RADIO EQUIPPED MOTORCYCLES for use by the Police Department.

The Town Clerk presented proof that the Notice to Bidders has been duly published and posted as required by law.

Hereto are a list of the bids received:

|                                      |                                |
|--------------------------------------|--------------------------------|
| Buffalo Harley Davidson Company..... | 3,230.20 ( Only bid received ) |
|--------------------------------------|--------------------------------|

The chairman ordered the bid referred to the Town Board for analysis.

Item No. 24 This being the time and the place advertised for the receiving of sealed bids for the furnishing of all materials and equipment together with all labor for the construction of a CONCRETE WADING POOL and appurtenances in the Cheektowaga Town Park.

The Town Clerk presented proof that the Notice to Bidders has been published as required by law.

Hereto attached is a summary of the bids received:

The chairman requested that the bids be referred to the Town Engineer for analysis and tabulation.

OPENING OF BIDS MAY 7TH 1956 2:30 PM D.S.T.

| ITEM                              | DESCRIPTION               | QUANTITY | UNIT | L.A. MONROE INC. |        | GRIECO CONST.   |                 | GRUBER CONST.     |                   | E.C. RUBER CO.    |                   | CRANE CONST.      |                   | C.A. ROBERTS INC. |                   |
|-----------------------------------|---------------------------|----------|------|------------------|--------|-----------------|-----------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|
|                                   |                           |          |      | UNIT             | TOTAL  | UNIT            | TOTAL           | UNIT              | TOTAL             | UNIT              | TOTAL             | UNIT              | TOTAL             | UNIT              | TOTAL             |
| 1                                 | CLEARING & GRUBBING       |          | LS   |                  | 126    |                 | 300             |                   | 1050              |                   | 350               |                   | 350               |                   | 350               |
| 2                                 | EXCAVATION                |          | LS   |                  | 2,320  |                 | 3000            |                   | 2850              |                   | 1750              |                   | 1750              |                   | 1750              |
| 3                                 | CONCRETE POOL             |          | LS   |                  | 14,065 |                 | 15,430.00       |                   | 12,575            |                   | 18,533            |                   | 18,533            |                   | 18,533            |
| 4                                 | CONCRETE WALKS            |          | LS   |                  | 1,651  |                 | 1,401           |                   | 1,875             |                   | 2,100             |                   | 2,100             |                   | 2,100             |
| 5                                 | SEA GRAVEL                |          | LS   |                  | 1,490  |                 | 450             |                   | 2025              |                   | 1,475             |                   | 1,475             |                   | 1,475             |
| 6                                 | CONCRETE FOUNTAIN         |          | LS   |                  | 687    |                 | 1,300           |                   | 475               |                   | 1,500             |                   | 1,500             |                   | 1,500             |
| 7                                 | FENCING                   |          | LS   |                  | 1,103  |                 | 1,627.40        |                   | 1,475             |                   | 1,500             |                   | 1,500             |                   | 1,500             |
| 8                                 | PLUMBING DRAINAGE & MISG. |          | LS   |                  | 1,712  |                 | 600             |                   | 2,150             |                   | 2,000             |                   | 2,000             |                   | 2,000             |
| 9                                 | LANDSCAPING               |          | LS   |                  | 1,813  |                 | 1,710           |                   | 1,200             |                   | 1,500             |                   | 1,500             |                   | 1,500             |
| TOTAL FOR BID ITEMS 1-9 INCLUSIVE |                           |          |      |                  | 25,567 |                 | 26,319          |                   | 27,977            |                   | 37,612            |                   | 37,612            |                   | 37,612            |
| BID SECURITY                      |                           |          |      |                  |        |                 |                 |                   |                   |                   |                   |                   |                   |                   |                   |
|                                   |                           |          |      |                  |        | AMERICAN SURETY | AMERICAN SURETY | NEW AMSTERDAM CAS | NEW AMSTERDAM CAS | NEW AMSTERDAM CAS | NEW AMSTERDAM CAS | NEW AMSTERDAM CAS | NEW AMSTERDAM CAS | NEW AMSTERDAM CAS | NEW AMSTERDAM CAS |

NUSSBAUMER CLARKE & VELZY

CONSULTING ENGINEERS



OST

| QUANTITY | UNIT | L.A. MONROE INC. |                 | GRIECO CONST. |                 | GRUBER CONST. |                                      | F.C. HUBER CO. |                                      | CRONE CONST. |                                      | C.A. ROBERTS INC. |                                      |
|----------|------|------------------|-----------------|---------------|-----------------|---------------|--------------------------------------|----------------|--------------------------------------|--------------|--------------------------------------|-------------------|--------------------------------------|
|          |      | UNIT             | TOTAL           | UNIT          | TOTAL           | UNIT          | TOTAL                                | UNIT           | TOTAL                                | UNIT         | TOTAL                                | UNIT              | TOTAL                                |
|          | L.S. |                  | 126             |               | 300             |               | 1050                                 |                | 550                                  |              | 802                                  |                   | 825                                  |
|          | L.S. |                  | 2,320           |               | 3000            |               | 2850                                 |                | 1,150                                |              | 2,545                                |                   | 3,560                                |
|          | L.S. |                  | 14,065          |               | 15,430.00       |               | 12,575                               |                | 18,603                               |              | 15,755                               |                   | 16,899                               |
|          | L.S. |                  | 1,651           |               | 1,401           |               | 1,875                                |                | 2,277                                |              | 1,288                                |                   | 1,590                                |
|          | L.S. |                  | 1,490           |               | 450             |               | 2,925                                |                | 425                                  |              | 1,778                                |                   | 2,800                                |
|          | L.S. |                  | 687             |               | 1,300           |               | 975                                  |                | 1,887                                |              | 843                                  |                   | 1,600                                |
|          | L.S. |                  | 1,703           |               | 1,627.50        |               | 1,975                                |                | 1,600                                |              | 1,799                                |                   | 2,200                                |
|          | L.S. |                  | 1,712           |               | 600             |               | 2,450                                |                | 885                                  |              | 2,251                                |                   | 2,800                                |
|          | L.S. |                  | 1,813           |               | 1,710           |               | 1,300                                |                | 1,700                                |              | 1,810                                |                   | 1,500                                |
|          |      |                  | 25,567          |               | 26,319          |               | 27,977                               |                | 29,219                               |              | 32,643                               |                   | 35,235                               |
|          |      |                  |                 |               |                 |               |                                      |                |                                      |              |                                      |                   |                                      |
|          |      |                  | AMERICAN SURETY |               | AMERICAN SURETY |               | NEW AMSTERDAM GAS FIDELITY & DEPOSIT |                | NEW AMSTERDAM GAS FIDELITY & DEPOSIT |              | NEW AMSTERDAM GAS FIDELITY & DEPOSIT |                   | NEW AMSTERDAM GAS FIDELITY & DEPOSIT |

TOWN OF CHESTNUTWATER  
 FABULATION LINE BINS  
 FOR WADING POOL

ZY

CONSULTING ENGINEERS

Item No. 25 This being the time and the place advertised for the receiving of sealed bids for the improvement of:

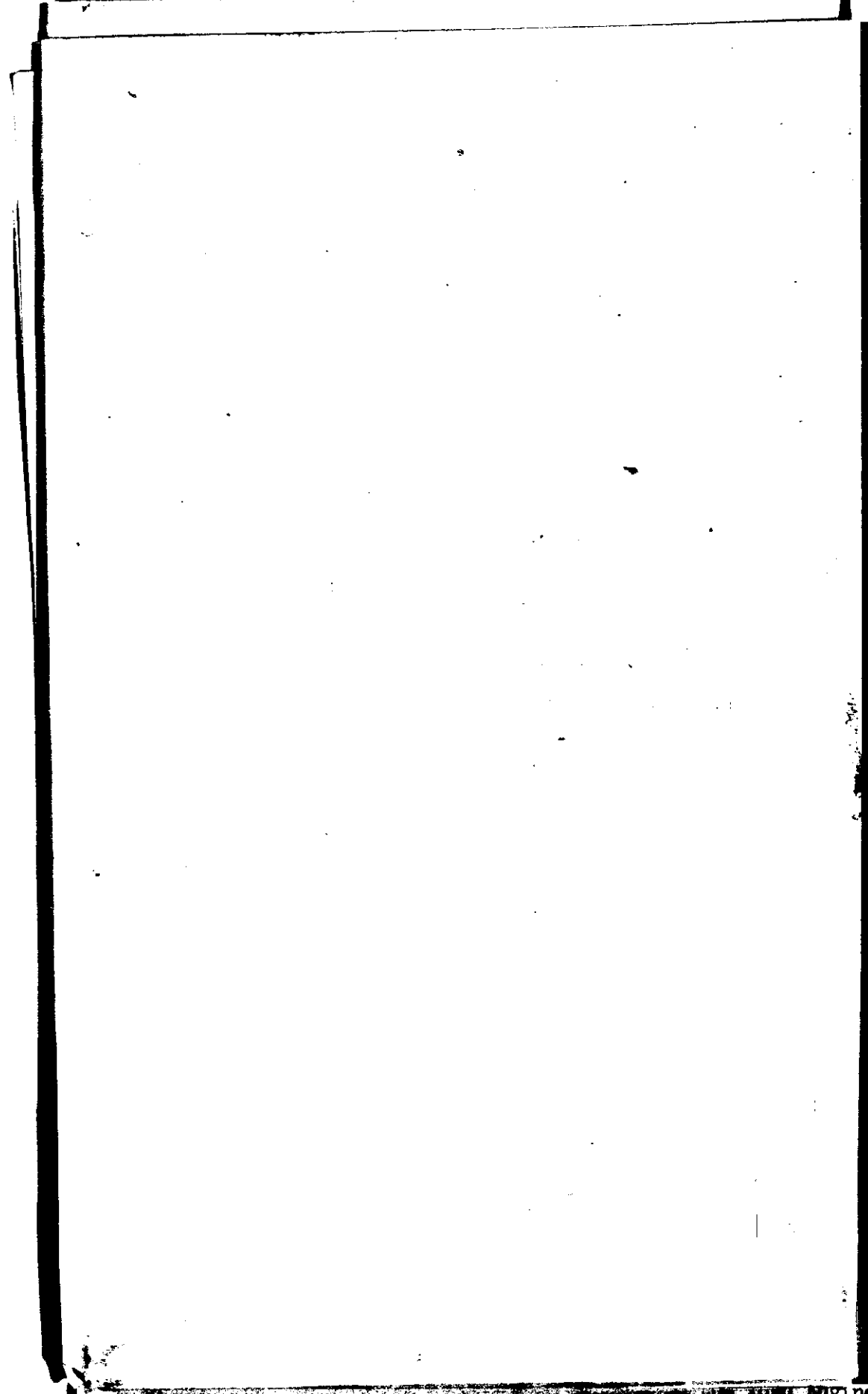
Ludwig Avenue

Wallace Street and Broadway

Oriole Place

for the furnishing of all materials and equipment together with all labor for the construction of certain improvements to the sanitary sewer system to consist of the installation of sanitary sewers and appurtenances in the above mentioned highways.

The Town Clerk presented proof that the Notice to Contractors has been duly published.



analysis and tabulation. The Town Engineer for

OPENING OF BIDS MAY 7TH 2:30 PM, D.S.T

| DESCRIPTION                        |                            | QTY       | UNIT | R.F.R. CO.      | C.M.H. CO.    | JOS. W.  |
|------------------------------------|----------------------------|-----------|------|-----------------|---------------|----------|
|                                    |                            | OF        |      | TOTAL           | TOTAL         |          |
| SECTION A - LUDWIG AVENUE          |                            |           |      |                 |               |          |
| 1                                  | 10" 4 V.I. PIPE            | OTO 6 FT  | DEEP | 1761            | LF            | 2.53     |
|                                    |                            |           |      |                 |               | 4,455.33 |
|                                    |                            |           |      |                 |               | 2.75     |
|                                    |                            |           |      |                 |               | 4,842.75 |
|                                    |                            |           |      |                 |               | 2.75     |
|                                    |                            |           |      |                 |               | 4        |
| 2                                  | 10" 8 V.I. PIPE            | 5 TO 8    | "    | 165             | "             | 2.63     |
|                                    |                            |           |      |                 |               | 436.58   |
|                                    |                            |           |      |                 |               | 2.60     |
|                                    |                            |           |      |                 |               | 464.80   |
|                                    |                            |           |      |                 |               | 2.75     |
|                                    |                            |           |      |                 |               | 4        |
| 3                                  | MANHOLES                   |           |      | 6               | EA            | 180.00   |
|                                    |                            |           |      |                 |               | 1,080.00 |
|                                    |                            |           |      |                 |               | 200.00   |
|                                    |                            |           |      |                 |               | 1,200.00 |
|                                    |                            |           |      |                 |               | 180.00   |
|                                    |                            |           |      |                 |               | 1        |
| 4                                  | 6" WYE CONNECTIONS         |           |      | 40              | "             | 5.00     |
|                                    |                            |           |      |                 |               | 200.00   |
|                                    |                            |           |      |                 |               | 6.50     |
|                                    |                            |           |      |                 |               | 260.00   |
|                                    |                            |           |      |                 |               | 7.48     |
|                                    |                            |           |      |                 |               | 2        |
| TOTAL FOR BID ITEMS SECTION A      |                            |           |      | 6,171.91        | 6,767.55      | 6,678    |
| SECTION B - WALLACE & BROADWAY     |                            |           |      |                 |               |          |
| 1                                  | 8" V.I. PIPE               | 6 TO 8 FT | DEEP | 1059            | LF            | 2.20     |
|                                    |                            |           |      |                 |               | 2,327.80 |
|                                    |                            |           |      |                 |               | 2.15     |
|                                    |                            |           |      |                 |               | 2,274.70 |
|                                    |                            |           |      |                 |               | 2.00     |
|                                    |                            |           |      |                 |               | 2        |
| 2                                  | 8" V.I. PIPE               | 8 TO 10   | "    | 1318            | "             | 2.40     |
|                                    |                            |           |      |                 |               | 3,163.20 |
|                                    |                            |           |      |                 |               | 2.35     |
|                                    |                            |           |      |                 |               | 3,097.30 |
|                                    |                            |           |      |                 |               | 2.40     |
|                                    |                            |           |      |                 |               | 144.00   |
|                                    |                            |           |      |                 |               | 2.40     |
|                                    |                            |           |      |                 |               | 1        |
| 3                                  | MANHOLES                   | 6 TO 8 FT | DEEP | 4               | EA            | 200.00   |
|                                    |                            |           |      |                 |               | 800.00   |
|                                    |                            |           |      |                 |               | 200.00   |
|                                    |                            |           |      |                 |               | 800.00   |
|                                    |                            |           |      |                 |               | 210.00   |
|                                    |                            |           |      |                 |               | 3        |
| 4                                  | MANHOLES                   | 8 TO 10   | "    | 3               | "             | 225.00   |
|                                    |                            |           |      |                 |               | *675.00  |
|                                    |                            |           |      |                 |               | 250.00   |
|                                    |                            |           |      |                 |               | 750.00   |
|                                    |                            |           |      |                 |               | 270.00   |
|                                    |                            |           |      |                 |               | 8        |
| 5                                  | MANHOLES                   | 10 TO 12  | "    | 1               | "             | 250.00   |
|                                    |                            |           |      |                 |               | 250.00   |
|                                    |                            |           |      |                 |               | 280.00   |
|                                    |                            |           |      |                 |               | 280.00   |
|                                    |                            |           |      |                 |               | 330.00   |
|                                    |                            |           |      |                 |               | 3        |
| 6                                  | CLASS "A" CONCRETE         |           |      | 60              | LF            | 3.00     |
|                                    |                            |           |      |                 |               | 180.00   |
|                                    |                            |           |      |                 |               | 2.00     |
|                                    |                            |           |      |                 |               | 120.00   |
|                                    |                            |           |      |                 |               | 1.00     |
|                                    |                            |           |      |                 |               | 6        |
| 7                                  | 6" WYE CONNECTIONS         |           |      | 30              | EA            | 3.00     |
|                                    |                            |           |      |                 |               | 180.00   |
|                                    |                            |           |      |                 |               | *270.00  |
|                                    |                            |           |      |                 |               | 4.50     |
|                                    |                            |           |      |                 |               | 405.00   |
|                                    |                            |           |      |                 |               | 5.50     |
|                                    |                            |           |      |                 |               | 4        |
| TOTAL FOR BID ITEMS SECTION B      |                            |           |      | *7656.80        | *7166.80      | 7,69     |
| SECTION C                          |                            |           |      |                 |               |          |
| SECTION C ORIOLE PLACE             |                            |           |      |                 |               |          |
| 1                                  | 8" 4 V.I. PIPE             | 6 TO 8 FT | DEEP | 260             | LF            | 2.30     |
|                                    |                            |           |      |                 |               | 598.00   |
|                                    |                            |           |      |                 |               | 2.00     |
|                                    |                            |           |      |                 |               | 574.00   |
|                                    |                            |           |      |                 |               | *533.00  |
|                                    |                            |           |      |                 |               | 2.10     |
|                                    |                            |           |      |                 |               | 5        |
| 2                                  | 8" 4 V.I. PIPE             | 8 TO 10   | "    | 255             | "             | 2.40     |
|                                    |                            |           |      |                 |               | 612.00   |
|                                    |                            |           |      |                 |               | 2.34     |
|                                    |                            |           |      |                 |               | 573.75   |
|                                    |                            |           |      |                 |               | 2.20     |
|                                    |                            |           |      |                 |               | 5        |
| 3                                  | MANHOLES                   |           |      | 2               | EA            | 250.00   |
|                                    |                            |           |      |                 |               | 500.00   |
|                                    |                            |           |      |                 |               | 224.00   |
|                                    |                            |           |      |                 |               | 448.00   |
|                                    |                            |           |      |                 |               | 225.00   |
|                                    |                            |           |      |                 |               | 4        |
| 4                                  | 6" WYE CONNECTIONS         |           |      | 15              | EA            | 3.00     |
|                                    |                            |           |      |                 |               | 45.00    |
|                                    |                            |           |      |                 |               | 67.50    |
|                                    |                            |           |      |                 |               | 4.55     |
|                                    |                            |           |      |                 |               | 8        |
| 5                                  | SELECT BACKFILL MATERIAL   |           |      | 30              | CY            | 3.50     |
|                                    |                            |           |      |                 |               | 105.00   |
|                                    |                            |           |      |                 |               | 3.50     |
|                                    |                            |           |      |                 |               | 105.00   |
|                                    |                            |           |      |                 |               | 3.00     |
|                                    |                            |           |      |                 |               | 5        |
| 6                                  | REPLACE BITUMINOUS MACADAM |           |      | 5               | SQY           | 3.00     |
|                                    |                            |           |      |                 |               | 15.00    |
|                                    |                            |           |      |                 |               | 5.00     |
|                                    |                            |           |      |                 |               | 25.00    |
|                                    |                            |           |      |                 |               | 12.00    |
|                                    |                            |           |      |                 |               | 6        |
| TOTAL FOR BID ITEMS SECTION C      |                            |           |      | 1,875.00        | 1,793.25      | 1,788    |
| TOTAL FOR BID ITEMS SECTIONS A,B,C |                            |           |      |                 |               |          |
|                                    |                            |           |      | 15,703.71       | 15,726.92     |          |
|                                    |                            |           |      | *15,718.71      | *15,726.92    |          |
|                                    |                            |           |      |                 |               | 16,16    |
| BID SECURITY                       |                            |           |      |                 |               |          |
|                                    |                            |           |      | PRYX WASHINGTON | ETNA CASUALTY | AMERICA  |
|                                    |                            |           |      | INDemnITY CO.   | SURETY CO.    | SURETY   |

\*CORRECTED FIGURES

NUSSBAUMER CLARKE & VELZY

CONSUL



| Co.         | JOS. WAGNER  |               | DEPLAN       |                                 | STRACO        |              | RALPH D. YOUNG |          | TOWN VILLAGE CONST. CORP. |          | SERGI BROS |          |
|-------------|--------------|---------------|--------------|---------------------------------|---------------|--------------|----------------|----------|---------------------------|----------|------------|----------|
|             | UNIT         | TOTAL         | UNIT         | TOTAL                           | UNIT          | TOTAL        | UNIT           | TOTAL    | UNIT                      | TOTAL    | UNIT       | TOTAL    |
| 842.75      | 2.75         | 4,842.75      | 3.46         | 6,093.06                        | 3.10          | 5,459.10     | 2.96           | 5,106.90 | 2.75                      | 4,842.75 | 3.00       | 5,283.00 |
| 54.80       | 2.75         | 456.90        | 3.76         | 574.36                          | 3.30          | 547.30       | 3.10           | 514.60   | 3.00                      | 498.00   | 3.25       | 539.50   |
| 00.00       | 180.00       | 1,080.00      | 175.00       | 1,050.00                        | 180.00        | 1,080.00     | 245.00         | 1,470.00 | 50.00                     | 1,100.00 | 225.00     | 1,350.00 |
| 60.00       | 7.48         | 299.20        | 5.00         | 200.00                          | 5.00          | 200.00       | 6.00           | 240.00   | 7.00                      | 280.00   | 7.00       | 280.00   |
| 7.55        | 6,678.45     | 7,917.42      | 7,286.50     | 7,331.50                        | 6720.75       | 7,452.50     |                |          |                           |          |            |          |
| 274.70      | 2.00         | 2,116.00      | 2.32         | 2,454.56                        | 2.90          | 3,068.20     | 3.00           | 3,174.00 | 3.25                      | 3,438.25 | 3.00       | 3,174.00 |
| 897.30      | 2.20         | 2,899.60      | 2.42         | 3,189.50                        | 3.10          | 4,085.80     | 3.20           | 4,217.20 | 3.75                      | 4,942.50 | 3.75       | 4,942.50 |
| 44.00       | 2.40         | 144.00        | 2.42         | 145.20                          | 4.05          | 243.00       | 4.20           | 252.00   | 4.00                      | 240.00   | 4.25       | 255.00   |
| 00.00       | 210.00       | 840.00        | 245.00       | 980.00                          | 225.00        | 900.00       | 225.00         | 900.00   | 200.00                    | 800.00   | 250.00     | 1,000.00 |
| 50.00       | 270.00       | 810.00        | 315.00       | 945.00                          | 275.00        | 825.00       | 285.00         | 855.00   | 225.00                    | 675.00   | 300.00     | 900.00   |
| 00.00       | 330.00       | 330.00        | 400.00       | 400.00                          | 325.00        | 325.00       | 385.00         | 385.00   | 250.00                    | 250.00   | 450.00     | 450.00   |
| 05.00       | 7.00         | 60.00         | 1.00         | 60.00                           | 1.00          | 60.00        | 1.00           | 60.00    | 1.50                      | 90.00    | 3.10       | 180.00   |
|             | 5.50         | 495.00        | 3.50         | 315.00                          | 4.00          | 360.00       | 5.00           | 450.00   | 5.00                      | 450.00   | 6.00       | 540.00   |
|             | 7,694.00     | 8,489.32      | 9,867.00     | 10,293.00                       | 10,886.00     | 11,441.50    |                |          |                           |          |            |          |
| 4.00        | 2.10         | 546.00        | 2.32         | 603.20                          | 2.90          | 754.00       | 3.05           | 793.00   | 3.25                      | 845.00   | 3.00       | 780.00   |
| 73.75       | 2.20         | 561.00        | 2.42         | 617.10                          | 3.10          | 790.50       | 3.20           | 816.00   | 4.00                      | 1020.00  | 3.75       | 956.25   |
| 48.00       | 2.25         | 450.00        | 310.00       | 620.00                          | 225.00        | 450.00       | 285.00         | 570.00   | 200.00                    | 400.00   | 300.00     | 600.00   |
| 75.00       | 4.55         | 81.75         | 3.50         | 52.50                           | 4.00          | 60.00        | 5.00           | 75.00    | 5.00                      | 75.00    | 6.00       | 90.00    |
| 05.00       | 3.00         | 90.00         | 3.00         | 90.00                           | 3.20          | 96.00        | 4.50           | 135.00   | 4.00                      | 120.00   | 10.00      | 300.00   |
| 5.00        | 12.00        | 60.00         | 5.00         | 25.00                           | 8.00          | 40.00        | 5.00           | 25.00    | 2.00                      | 12.50    | 5.00       | 25.00    |
| 2.50        | 1,788.75     | 2,007.80      | 2,190.30     | 2,414.00                        | 2,472.50      | 2,751.25     |                |          |                           |          |            |          |
| 30.00       | 16,161.80    | 18,414.54     | 19,344.40    | 20,039.00                       | 20,079.25     | 21,645.25    |                |          |                           |          |            |          |
| QUALITY CO. | AMERICAN CO. | TRAVELERS CO. | MARYLAND CO. | STANDARD ACCIDENT INSURANCE CO. | TRAVELERS CO. | AMERICAN CO. |                |          |                           |          |            |          |

TOWN OF CHEEKTOWAGA  
SANITARY SEWER  
TABELLATION OF BIDS  
LUDWIG, WALLACE & BROADWAY,  
AND ORIOLE PLACE

Item No. 26 This being the time and the place advertised for the receiving of sealed bids for the purchase of one (1) Industrial Tractor with side mounted sickle bar mower for use in the Parks Department.  
The Town Clerk presented proof that the Notice to Bidders has been published as required by law.

Hereto is a summary of the bids received:

C.T. Guzzetta and Sons, Angola, New York.....2,602.00  
Le Roi Equipment Corp., Buffalo, New York..... 2,695.00

The chairman requested that the bids be referred to the Town Engineer for analysis and tabulation.

Item No. 27 Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS the Zoning Board of Appeals has recommended to this Town Board that the application of Walter Grzlewski to rezone from Residential District to Business District the following described property be denied, be it further  
RESOLVED, that this Town Board does hereby uphold the decision of the Zoning Board of Appeals and the same application is hereby denied.

DESCRIPTION OF PROPERTY

Being sub lots 30,31 and 32 as shown on a subdivision map of Harvale Subdivision No. 2 filed in the Erie County Clerks Office under Map Cover 1731, having a frontage of 175 feet by a depth of 180 feet located on the northeast corner of Maryvale Drive and Woodridge Avenue, Town of Cheektowaga, New York,

And a parcel of land on the north side of Maryvale Drive having a frontage and rear of 697.60 by a depth of 180 feet, 1025 feet east of Woodridge Avenue, excepting therefrom a parcel 80 feet by 180 feet required by the Town of Cheektowaga for Rosary Boulevard.

Seconded by Supervisor Holtz. CARRIED: AYES: -7-

Item No. 28 REZONING GRANTED-MILDRED STOLLMEIER

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  
..... day of May, 1956, and  
the last insertion being on the ..... day of May, 1956, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this ..... day of

MAY 18 1956, 19.....

*Henry D. Harker*  
Notary Public in and for Erie County

hm 11096-C8

LEGAL NOTICE  
Whereas, the Zoning Board of Appeals held a public hearing for the purpose of considering the application of Mildred Stollmeier for rezoning of her property from Residential District to Business District, and the same application was duly published in the Depew Herald and News, a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, on the 17th day of May, 1956, and that the said application was duly considered and the same was duly denied, and the same application is hereby denied.  
On motion of Trustee Gangloff, seconded by Trustee Lupina, the Clerk was ordered to explain to the New York State Fire Insurance Rating Organization that the Village has installed numerous additional water mains and hydrants and had taken other steps in an effort to retain the present low fire insurance rates. Carried.  
The communication from the New York State Youth Commission acknowledging the receipt of the application for the recreation project was received and filed. From the Bureau of Municipal Public Works, relative to an allocation of \$750.00 for preliminary sewer plans, received and filed. From the N. Y. State Department of Public Works, relative to an adjustment of \$100.00 on Transit Road, received and filed.



#### LEGAL NOTICE

Whereas, the Zoning Board of Appeals held a public hearing for the purpose of considering the application of Mildred Stollmeier for the rezoning of premises from Residential District to Business District of the property hereinafter described and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, the Zoning Board of Appeals having rendered its decision granting the application of the petitioner to rezone from Residential District to Business District the property hereinafter described, it

is hereby ordered that the petitioner to rezone premises from Residential District to Business District, be and the same is hereby confirmed and approved, be it

RESOLVED, by this Town Board that the Ordinance adopted December 21, 1942, and as now amended entitled "Zoning Ordinance", be and the same hereby is amended by changing the Zoning Map so as to change the following described property from that of Residential District to Business District.

#### DESCRIPTION

All that tract or parcel of land situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 25, Township 11 and Range 7, of the Holland Land Company's Survey, and known and distinguished as subdivision lots numbers One (1), Two (2), Three (3), and Four (4) upon a certain subdivision map of part of said Lot No. 25, made by J. J. Straley, Civil Engineer and Surveyor, and filed in Erie County Clerk's Office under cover number 1546, and said Subdivision known as Prosperity Subdivision, reference being made and had to said map for further description. Southeast corner Genesee Street and Toelsin Road.

Dated: May 7, 1956.

KENNETH T. HANLEY,

Town Clerk, Town of Cheektowaga, New York

Item No. 28-Cont'd  
Bulletin Board on the 18th day of May, 1956.

The foregoing notice was posted on the Town Hall

Item No. 29

REZONING GRANTED-ROSE M. LANGENDORFER

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

WHEREAS, the Zoning Board of Appeals held a public hearing for the purpose of considering the application of Rose M. Langendorfer for the rezoning of premises from Residential District to Business District of the property hereinafter described and amending the Zoning Map and Ordinance accordingly,

WHEREAS, the Zoning Board of Appeals having rendered its decision granting the application of the petitioner to rezone from Residential District to Business District the property hereinafter described, be it

RESOLVED, that the decision of the Zoning Board of Appeals granting the application of the petitioner to rezone premises from Residential District to Business District be and the same is hereby confirmed and approved, 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

Part of Lot 5, Township 11, Range 7, Town of Cheektowaga, described as follows: BEGINNING at the intersection of the southerly line of Genesee Street with the easterly line of Buell Street; running thence easterly along the southerly line of Genesee Street, approximately 200 feet to the westerly line of lands heretofore conveyed by deed recorded in Liber 4847 of Deeds at Page

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 one week, the first insertion being on the 17th day of May, 1956, and the last insertion being on the 17th day of May, 1956, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this ..... day of

MAY 18 1956

19.

*Kimberly T. Hawley*

Notary Public in and for Erie County

hn 11096-G8

STATE OF NEW YORK  
COUNTY OF ERIE

WHEREAS, the Zoning Board of Appeals held a public hearing for the purpose of considering the application of Rose M. Langendorfer for the rezoning of premises from Residential District to Business District of the property hereinafter described and amending the Zoning Map and Ordinance accordingly,

and

WHEREAS, the Zoning Board of Appeals having rendered its decision granting the application of the petitioner to rezone from Residential District to Business District the property hereinafter described, be it

RESOLVED, that the decision of the Zoning Board of Appeals granting the application of the petitioner to rezone premises from Residential District to Business District be and the same is hereby confirmed and approved, 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

Part of Lot 5, Township 11, Range 7, Town of Cheektowaga, described as follows: BEGINNING at the intersection of the southerly line of Genesee Street with the easterly line of Buell Street; running thence easterly along the southerly line of Genesee Street, approximately 200 feet to the westerly line of lands heretofore conveyed by deed recorded in Liber 4847 of Deeds at Page 82, on file in the Erie County Clerk's Office; thence southerly along said westerly line of lands so conveyed approximately 280 feet to the northerly line of lands heretofore conveyed to Loblaw Inc., by deed recorded in Liber 5666 of Deeds Page 30 in the Erie County Clerk's Office; thence westerly along said line approximately 190 feet to the east line of Buell Street; thence northerly along said east line of Buell Street approximately 225 feet to the point or place of beginning.

Dated: May 7, 1956.

KENNETH T. HANLEY,  
Town Clerk, Town of  
my17 Cheektowaga, New York

19 62

**REZONING GRANTED-BENDERSON DEVELOPMENT COMPANY**

34:

[illegible]

being duly sworn, deposes and says that he is the

of the

## Cheektowaga

**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 17th day of May, 1956, and the last insertion being on the 17th day of May, 1956 and that not more than six days intervened between any two publications thereof.

ations thereof.

Richard E. Bennett

Sworn to before me this ..... day of

MAY 18 1956

19.

*James T. Barker*  
Notary Public in and for Erie

Notary Public in and for Erie County

Item No. 29-Cont'd The foregoing notice was posted on the Town Hall Bulletin Board on the 18th day of May, 1956.

Item No. 30

REZONING GRANTED-BENDERSON DEVELOPMENT COMPANY

STATE OF NEW YORK  
COUNTY OF ERIE

**LEGAL NOTICE**

Whereas, the Zoning Board of Appeals held a public hearing for the purpose of considering the application of Benderson Development Company for the rezoning of premises from Residential District to Business District of the property hereinafter described and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, the Zoning Board of Appeals having rendered its decision granting the application of the petitioner to rezone from Residential District to Business District the property hereinafter described, be it

RESOLVED, that the decision of the Zoning Board of Appeals granting the application of the petitioner to rezone premises from Residential District to Business District be and the same is hereby confirmed and approved, be it

RESOLVED, by this Town Board that the Ordinance adopted December 21, 1942, and as now amended entitled "Zoning Ordinance", be and the same hereby is amended by changing the Zoning Map so as to change the following described property from that of Residential District to Business District.

**DESCRIPTION**

All that tract of land, situated in the Town of Cheektowaga, County of Erie and State of New York and more particularly bounded and described as follows:

Commencing at the point of intersection of the center line of Bennett Road, (as a road 49.50 feet wide) with the Center line of Union Road, (as a road 66 feet wide); running thence southerly and along said center line of Union Road for a distance of two hundred fifty (250) feet, running thence easterly and along the north line of premises conveyed by the grantor herein to Walter Burke, by deed dated October 8, 1947 and recorded in Liber 4207 Deeds, page 67 on October 15, 1947 in the Erie County Clerk's office for a distance of one hundred sixty (160) feet; running thence northerly and along the west line of land conveyed by a deed from the grantor herein to Powell, as recorded in Liber 2209 of Deeds at page 516 in said County Clerk's office, for a distance of 250' and to the center line of Bennett Road, at a point 160' easterly, as measured along said center line of Bennett Road, from the point of beginning; thence running westerly and along said center line of Bennett Road for a distance of one hundred sixty (160) feet to the point or place of beginning.

Dated: May 7, 1956.

KENNETH T. HANLEY,  
Town Clerk, Town of  
my17 Cheektowaga, New York

Item No. 30-Cont'd The foregoing notice was posted on the Town Hall Bulletin Board on the 18th day of May, 1956.

Item No. 31

REZONING GRANTED-C. HARTLEY

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

**JURAT MOTION**

Whereas, the Zoning Board of Appeals held a public hearing for the purpose of considering the application of C. Hartley for the rezoning of premises from Residential District to Business District of the property hereinafter described and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, the Zoning Board of Appeals having rendered its decision granting the application of the petitioner to rezone from Residential District to Business District the property hereinafter described, be it

RESOLVED, that the decision of the Zoning Board of Appeals granting the application of the petitioner to rezone premises from Residential District to Business District be and the same is hereby confirmed and approved, 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**

North west corner of Cleveland Drive and Crestview Avenue. (40x140.06 feet).

Dated: May 7, 1956.

KENNETH T. HANLEY,  
Town Clerk, Town of 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 Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 17th day of May, 1956, and the last insertion being on the 17th day of May, 1956, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this ..... day of

MAY 10 1956

19.....

*Kenneth T. Hanley*

Notary Public in and for Erie County

hn 11096-G8

Item No. 31-Contd' The foregoing notice was posted on the Town Hall Bulletin Board on the 18th day of May, 1956.

53  
19

Item No. 32 At the request of Louis Cohen of No. the rezoning request of Charles Zucarelli and Angelo Fatta was tabled until May 12, 1956, at 11:30 A.M.

19

Item No. 33 At the request of Judge Radwan and Benj. Hoey for a split-up in Election Districts in the Town, the matter was referred to the Board for study.

11

Item No. 34 Councilman Kornecki moved, seconded by Councilman Trojanosky, that all claims presented at this meeting for audit be approved and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same. ( Warrant No. 974 to No. 1194, inclusive drawn on the Supervisor.

6

Item No. 35 Councilman Neibert moved, seconded by Councilman Wroblewski to adjourn until 11:30 A.M. on May 12, 1956.

SEAL

Kenneth T. Hanley, Town Clerk.

*Kenneth T. Hanley*

Cheektowaga New York  
May 12, 1956

99

Item No. 1 At a special meeting of the Town Board of the Town of Cheektowaga Erie County, State of New York, held at the Town Hall in the said Town of Cheektowaga, on the 12th day of May, 1956, at 12 Noon, E.D.S.T. there were:

|          |                     |            |
|----------|---------------------|------------|
| PRESENT: | Felix T. Wroblewski | Councilman |
|          | Henry J. Nagel      | Councilman |
|          | Joseph Trojanosky   | Councilman |
|          | Joseph A. Neibert   | Councilman |

Also present were Elizabeth Biniasz Deputy Town Clerk; Thomas E. Delahunt employee of the Town; Leo Kurnick, Chairman of the Zoning Board.

Due to the absence of Supervisor Holtz, Felix T. Wroblewski was designated as acting Chairman.

Item No. 2 Councilman Wroblewski announced that the Town Board would hear all persons interested in the subject of the rezoning of Henry P. and Frances A. Tomiak's property located at 4650 Union Road, Cheektowaga, New York from residential to business which was denied by the Town Board April 19, 1956, with a stipulation that a permission be granted to maintain a dental office with the understanding that within one year from the date hereof, the petitioner shall construct on premises additional living quarters for his family and use the premises for residential purposes in addition to his dental office.

Mr. Kessler representing Dr. Henry P. Tomiak was present.

Mr. Russel Tedor, residing at \_\_\_\_\_ representing a group of home owners to keep the property residential and opposing the special permission to maintain the dental office.

Reserved; decision forthcoming. 19

Item No. 3 Mr. Neri representing Charles L. Zucarrelli and Angelo A. Fatta in the matter of the application to rezone from a Residential District to a Business District, premises located on Harlem Road, having a frontage on Harlem Road of approximately 200 feet and depth of approximately 483 feet.

Mr. Eugene Koch representing home owners in the immediate vicinity opposing the rezoning, for this type of business, as requested by the applicant.

Also in opposition was, Louis Cohen, \_\_\_\_\_, Mr. Schiffeli

Mr. Wheeler \_\_\_\_\_, is in no opposition.

Councilman Trojanosky presented the following resolution and moves its adoption:

BE IT RESOLVED that the property owned by Charles L. Zucarrelli and Angelo A. Fatta located on Harlem Road, depth of 200 feet be rezoned from Residential to business, and the balance of the property should remain in a residential district.

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

|      |   |      |   |        |   |
|------|---|------|---|--------|---|
| AYES | 4 | NOES | 0 | ABSENT | 3 |
|------|---|------|---|--------|---|



Hereto attached is a copy of the Notice published in

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

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  
..... *one* ..... week, the first insertion being on the  
..... *17th* ..... day of ..... *May* ....., 19*56*, and  
the last insertion being on the ..... *17th* ..... day of  
..... *May* ....., 19*56*, and that not  
more than six days intervened between any two publi-  
cations thereof.

*Richard G. Bennett*

Sworn to before me this ..... day of

*MAY 18 1956*

19.....

*Kenneth T. Stanley*  
Notary Public in and for Erie County

hn 11096-C8

Board on the 18 day of May The above notice was posted on the Town Hall Bulletin  
1956.

STATE OF NEW YORK  
COUNTY OF ERIE

**ORDINANCE**

Whereas the Zoning Board of Appeals held a public hearing for the purpose of considering the application of Charles L. Zucarelli and Angelo A. Fatta for the rezoning of premises from Residential District to Business District of the property hereinafter described and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, the Zoning Board of Appeals having rendered its decision granting the application of the petitioner to rezone from Residential District to Business District the property hereinafter described, be it

RESOLVED, that the decision of the Zoning Board of Appeals granting the application of the petitioner to rezone premises from Residential District to Business District be and the same is hereby confirmed and approved, 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**

(200 feet frontage by 200 feet in depth of the following described property to be rezoned for business purposes, balance of property to remain in a Residential District)

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, briefly described as follows: being part of Lot Number twenty-seven, Township eleven, Range seven of the Holland Land Company's Survey, bounded and described as follows:

COMMENCING at a point in the east line of Harlem Road, a sixty-six foot (66) highway, at a point where the south line of Farm Lot Number twenty-seven intersects the same, being the southwest corner of Farm Lot Number twenty-seven; thence easterly along the said south line of Farm Lot number twenty-seven five hundred feet to a point; thence northerly and parallel with the east line of Harlem Road two hundred five feet to a point; thence westerly and parallel with the south line of Lot number twenty-seven, five hundred feet to the east line of Harlem Road at a point two hundred five feet north of the point of beginning; thence southerly along the east line of Harlem Road two hundred five feet to the place of beginning, containing two and thirty-five hundredths acres more or less. Together with and including: EXCEPTING AND RESERVING THEREFROM a strip of land seventeen feet in width and two hundred five feet in length immediately adjacent to Harlem Road.

Dated: May 12, 1956.

KENNETH T. HANLEY,

Town Clerk, Town of Cheektowaga,  
Boa my17 Erie County, N. Y.

the above notice was posted on the Town Hall Bulletin  
1956.

Item No. 4 Councilman Wroblewski moved, seconded by Councilman Neibert , to adjourn.

SEAL

Elizabeth Binney

D.T.C

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 21st day of May, 1956, at 7:30 o'clock P.M., E.D.S.T., there were:

|                            |            |
|----------------------------|------------|
| PRESENT: Benedict T. Holtz | Supervisor |
| Felix T. Wroblewski        | Councilman |
| Joseph Kornecki            | "          |
| Joseph Trojanosky          | "          |
| Stanley R. Bystrak         | "          |

|                           |            |
|---------------------------|------------|
| ABSENT: Joseph A. Neibert | Councilman |
| Henry J. Nagel            | "          |

Also present were: Town Clerk Kenneth T. Hanley; Town Attorney George B. Doyle; Justice of the Peace Pyszczyński and Lieut. William Graham.

Item No. 2 The Town Clerk advised the Town Board that a copy of the minutes of the previous meeting has been placed on their desk in the Council Chamber.

Item No. 3 Communication read from the State Traffic Commission relating to traffic conditions along Broadway, Route 130, between Harlem Road and the Depew Village Line. Ordered received and filed. (File State and County Drawer 2 ).

10  
(13) 41

Item No. 4 On a motion by Councilman Kornecki, seconded by Councilman Wroblewski, The Town Engineer and Frank Lunz were authorized to attend the Spring Meeting of the New York Sewage and Industrial Wastes Association at the Hotel Statler, Buffalo, New York, on May 28 and 29, 1956.

31  
42

Item No. 5 On a motion by Councilman Wroblewski, seconded by Councilman Kornecki, the following were approved as part time Park Department laborers:

Walter Wozniak  
William Tyler  
John Draskiewicz  
Stanley Burak  
John Sorrentino  
Alexander Godlewski  
John Kubicki  
Bernard Reinstatler

31  
16

Item No. 6 On a motion by Councilman Wroblewski, seconded by Councilman Kornecki, the following were approved as Playground Supervisors:

Frank Pry  
Matthew Szydlowski  
Dick Frazer  
Henry Andrzejewski

#### ASSISTANCE PLAYGROUND SUPERVISORS

Joanne Matuszewski  
Florence Dondajewski  
Norman Pyzikiewicz  
Leonard Kosobucki  
Donald L. Puff

31  
16

Item No. 7 Councilman Wroblewski moved, seconded by Councilman Trojanosky, that that the Town Clerk be authorized and directed to issue building permits on applications processed by the Petitions Committee on 5-12-56 & 5-19-56, after same have been approved by the Building Inspector.

CARRIED AYES 5

ABSENT 2

15

Item No. 8 Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the Town Board has been requested by the property owners of Ludwig Avenue, Raymond Avenue and Vern Lane, streets located in Farm Lot 15, Town of Cheektowaga, to take steps to correct the confusion and errors existant in the survey of lots on said streets and had instructed the Town Engineer to arrange a meeting of the surveyors working on said streets, two such meetings having been held and a unanimous agreement reached by the surveyors involved, be it

Item No. 8 cont'd. RESOLVED, that Krehbiel & Krehbiel, engineers and surveyors, of 2000 Sheridan Drive, Town of Tonawanda be authorized and are hereby instructed to monument the centerlines of Ludwig Avenue, Raymond Avenue and Vern Lane in the Town of Cheektowaga in accordance with their Drawing No. E-114, showing the results of their calculations and survey dated October 27, 1955. Henceforth all lots on said streets are to be located and measured from these centerlines. This plans has been examined and agreed upon as the basis for all surveys on said streets by the following surveyors:

Krehbiel & Krehbiel  
Nussbaumer, Clarke & Velzy  
Herthe & Sonnenberger  
Edwin J. Gaizer  
John H. Gordon  
Ignace S. Bazinski

and be it further

RESOLVED that the Town Clerk of Cheektowaga be instructed to file copies of this resolution in the office of the County Clerk's Office of the County of Erie, State of New York.

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

|            |                    |                   |
|------------|--------------------|-------------------|
| Supervisor | Benedict T. Holtz, | Voting <u>AYE</u> |
| Councilman | Felix Wroblewski,  | Voting <u>AYE</u> |
| Councilman | Stanley Bystrak,   | Voting <u>AYE</u> |
| Councilman | Joseph Trojanosky, | Voting <u>AYE</u> |
| Councilman | Joseph Kornecki,   | Voting <u>AYE</u> |
| AYES -5-   | NOES -0-           | ABSENT -2-        |

Item No. 9 Councilman Bystrak, presented the following resolution and moved its adoption:

WHEREAS, the New York State Electric and Gas Corporation has submitted a written contract to be executed by the Town of Cheektowaga, New York, for lighting services in said Township, which contract has been examined and approved by the members of the Town Board, a copy of which is annexed and made part of this resolution,

BE IT RESOLVED, that the aforementioned contract between the Town of Cheektowaga, New York and the New York State Electric and Gas Corporation be executed by the Supervisor of the Town of Cheektowaga, New York, on behalf of said Township.

Seconded by Councilman Wroblewski.

AYES -5- ABSENT -2-

Item No. 10 Councilman Bystrak, presented the following resolution and moved its adoption:

RESOLVED, that the New York State Electric & Gas Corporation be authorized to change the present lighting on Columbus Street from 1,000 Lumen light on Pole No. 1 situate in Columbus Street on which no light exists, at present.

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

|            |                      |                   |
|------------|----------------------|-------------------|
| Supervisor | Benedict T. Holtz,   | Voting <u>AYE</u> |
| Councilman | Felix T. Wroblewski, | Voting <u>AYE</u> |
| Councilman | Stanley R. Bystrak,  | Voting <u>AYE</u> |
| Councilman | Joseph Trojanosky,   | Voting <u>AYE</u> |
| Councilman | Joseph Kornecki,     | Voting <u>AYE</u> |
| AYES -5-   | NOES -0-             | ABSENT -2-        |

Item No. 11 Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, an emergency exists and the Town is in need of six (6) additional voting machines, due to an increase in the number of election districts, and

WHEREAS, there is only one company manufacturing the type of voting machine used by the Town of Cheektowaga, New York.

BE IT RESOLVED, that the Town Clerk be and he is hereby authorized

Item No. 11 Cont'd. to order from the Automatic Voting Machine Company of Jamestown, New York, six (6) new voting machines.

Seconded by Councilman Trojanosky .

AYES -5-

ABSENT -2-

//

Item No. 12 Councilman Kornecki presented the following resolution and moved its adoption:

RESOLVED, that Thomas Corless residing at , Cheektowaga, New York and Paul Borowiak, residing at , Cheektowaga, New York be temporarily appointed rodmen under the jurisdiction of the Town Engineer at an hourly salary of \$1.60.

Seconded by Councilman Wroblewski.

AYES -5-

ABSENT -2-

31

Item No. 13 Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that during the months of June, July and August the various department of the Town of Cheektowaga operate on a skeleton force on Saturday mornings and that the Town Board file a schedule for each department commencing June 1st, 1956 and ending September 1st, 1956.

Seconded by Councilman Stanley Bystrak.

AYES -5-

ABSENT -2-

31

Item No. 14 Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the Erie County Highway Superintendent be requested to grant permission to the Town of Cheektowaga, New York, or the Village of Depew, New York, to erect a "Stop and Go" signal at the intersection of Walden Avenue and Dick Road.

Seconded by Councilman Stanley Bystrak.

AYES -5-

ABSENT -2-

9  
21

Item No. 15 Councilman Trojanosky presented the following resolution and moved its adoption:

RESOLVED, that the Supervisor be and he is hereby authorized to sign copies of a permit for installation of a traffic-actuated "Stop and Go" signal at the intersection of Borden Road and Como Park Boulevard.

Seconded by Councilman Wroblewski.

AYES -5-

ABSENT -2-

211

Item No. 16 Councilman Trojanosky presented the following resolution and moved its adoption:

RESOLVED, that the Supervisor request Harry Kraft, Erie County Superintendent of Highways, to erect stop signs at the following intersections:

Southern Parkway and George Urban Boulevard  
Miami Drive and George Urban Boulevard  
Petan Drive and George Urban Boulevard  
White Road and Cleveland Drive

and be it further

RESOLVED, that the Supervisor request Harry Kraft, Erie County Superintendent of Highways, to change the speed limit and erect appropriate signs on the property bounded and described as follows:

From the north boundary of the Town at Union Road to the north boundary of the Town at the east side of Cayuga Road, south along the east side of Cayuga Road to the north side of Genesee Street, west along the north side of Genesee Street to Union Road and north along the east side of Union Road to the point of beginning.

Seconded by Councilman Wroblewski.

AYES -5-

ABSENT -2-

41

Item No. 17  
adoption:

Councilman Wroblewski presented the following resolution and moved its

**RESOLVED**, that the Chief of Police be authorized to erect "Children at Play" signs on the town highways:

South Century Road at the north end of the highway and South Century Road at the south end of the highway.

South Century Road at the corner of Medford Road and Allendale Road on both ends of the highway.

Seconded by Councilman Kornecki.

AYES -5-

ABSENT -2-

Item No. 18  
adoption:

Councilman Wroblewski presented the following resolution and moved its

**WHEREAS**, bids were received for two police automobiles and the lowest bid submitted was that of Suor Chevrolet Inc., in the amount of \$1,826.00 per unit or the net amount of \$3652.00 for two units.

**BE IT RESOLVED**, that the said bid of Suor Chevrolet Inc., in the amount of \$3652.00, to sell and deliver the two police automobiles in accordance with the specifications, be accepted.

Seconded by Councilman Trojanosky.

AYES -5-

ABSENT -2-

Item No. 19  
adoption:

Councilman Wroblewski presented the following resolution and moved its

**WHEREAS**, bids were received on May 7th, 1956 for a wading pool in George Urban Town Park, and

**WHEREAS**, the lowest bid was submitted by L.A. Monroe Company in the amount of \$25,567.00.

**BE IT RESOLVED**, that the bid of L. A. Monroe Company for the sum of \$25,567.00, to construct a wading pool in accordance with the plans and specifications, be accepted and that the Consulting Engineers and the Town Attorney prepare the necessary contract.

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

|            |                      |        |     |
|------------|----------------------|--------|-----|
| Supervisor | Benedict T. Holtz,   | Voting | AYE |
| Councilman | Felix T. Wroblewski, | Voting | AYE |
| Councilman | Stanley R. Bystrak,  | Voting | AYE |
| Councilman | Joseph Kornecki,     | Voting | AYE |
| Councilman | Joseph Trojanosky,   | Voting | AYE |

AYES -5-

NOES -0-

ABSENT -2-

Item No. 20  
adoption:

Councilman Trojanosky presented the following resolution and moved its

**WHEREAS**, bids were received for two Police Motorcycles with two way radios.

**WHEREAS**, the lowest bid submitted was that of Buffalo Harley Davidson Company in the net amount of \$3,230.20.

**BE IT RESOLVED**, that the bid of the Buffalo Harley Division Company, for \$3,230.20, be accepted and that the Supervisor be authorized to enter into a contract for the purchase of said two Police Motorcycles with two way radios; that he also be authorized to execute and deliver to the Buffalo Harley Davidson Company a bill of sale for two solo motorcycles, for which a credit of \$860.00 has been granted, leaving a net balance due for the purchase of said two Police Motorcycles with two way radios in the sum of \$3,230.20.

Seconded by Councilman Wroblewski.

AYES -5-

ABSENT -2-

Item No. 21 Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED that the Supervisor be authorized to purchase a trailer to transport park equipment from the LeRoi Equipment Corporation at a cost not to exceed the sum of \$750.00.

Seconded by Councilman Kornecki. AYES: -5- ABSENT: -2- 16

Item No. 22 Councilman Kornecki presented the following resolution and moved its adoption:

WHEREAS bids were received for one (1) Industrial Tractor with sickle bar mower attachment, and

WHEREAS, the lowest bid submitted was that of LeRoi Equipment Corporation in the amount of \$2,695.00, be it

RESOLVED, that the bid of LeRoi Equipment Corporation in the amount of \$2,695.00 to sell and deliver a tractor with sickle bar mower be accepted.

Seconded by Councilman Trojanosky. AYES: -5- ABSENT: -2- 16

Item No. 23 Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, bids were received for the consturction of sanitary sewers in Ludwig Avenue, Wallace Avenue and Oriole Place, and

WHEREAS, R and R Construction Company has submitted the lowest bid for the construction of said sewer lines, be it

RESOLVED, that the bid of R and R Construction Company to construct a sanitary sewer in Ludwig Avenue in accordance with the plans and specifications for the sum of \$6,171.91 be accepted, and be it further

RESOLVED, that the bid of R and R Construction Company to construct a sanitary sewer in Wallace Avenue, in accordance with the plans and specifications for the sum of \$7,671.80, be accepted, and be it further

RESOLVED, that the bid of R and R Construction Company to conctruct a saniary sewer in Oriole Place in accordance with the plans and specifications for the sum of \$1,875.00 be accepted, and be it further

RESOLVED, that the Town Attorney is hereby authorized and directed to prepare with the assistance of the Consulting Engineers, contracts for the said work.

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

|                                |                    |            |
|--------------------------------|--------------------|------------|
| Supervisor                     | Benedict T. Holtz  | Voting AYE |
| Councilman                     | Stanley R. Bystrak | "          |
| Councilman Felix T. Wroblewski |                    | "          |
| Councilman                     | Joseph Kornecki    | "          |
| Councilman Joseph Trojanosky   |                    | "          |

AYES: -5- NOES: -0- ABSENT: -2- 24

Item No. 24 Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED that the Subdivision Map of Roosevelt Heights prepared by Herthe & Sonnenberger, Engineers, dated April 20, 1956, be approved and ordered filed in the Assessors Office.

Seconded by Councilman Kornecki. AYES: -5- ABSENT: -2- 24

Item No. 25 Councilman Kornecki moved, seconded by Councilman Wroblewski, WHEREAS, the Town Highway Department has expended \$1,097.44 planting trees, be it

RESOLVED, that the sum of \$1,097.44 be transferred from the Tree Fund to Item No. 4 of the Highway Fund. AYES: -5- ABSENT: -2- 17



Item No. 26 | Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED that the request of the New Liberty Park Inc., to have a firework display at Liberty Park on Memorial Day, Independence Day and Labor Day be granted, weather permitting. In the event it is unable to have the firwork display on the above dates then permission is granted to have the fireworks display on the Saturday or Sunday immediately thereafter. This consent is granted with the understanding that there be no firework display on any public highway but only on its own property and that said New Liberty Park Inc., file with the Town Clerk written proof that it has obtained public liability insurance in the maximum amount not less than One Hundred Thousand Dollars (\$100,000.00).

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

|                                |            |                          |
|--------------------------------|------------|--------------------------|
| Supervisor Beneidct T. Holtz   | Voting AYE |                          |
| Councilman Felix T. Wroblewski | " "        |                          |
| Councilman Stanley R. Bystrak  | " "        |                          |
| Councilman Joseph Kornekci     | " "        |                          |
| Councilman Joseph Trojanosky   | " "        | AYES: -5-<br>ABSENT: -2- |

Item No. 27 | Councilman Kornecki presented the following resolution and moved its adoption:

WHEREAS Harry Weisberg was sick for the period from January 1, 1956 to January 23, 1956, and also on the 8th day and 9th day of March, 1956, and is entitled to Sick LEave Pay, be it

RESOLVED that the Supervisor be authorized to pay Harry Weisberg for the period above mentioned.

Seconded by Councilman Trojanosky CARRIED: AYES: -5-  
ABSENT: -2-

Item No. 28 | Councilman Trojanosky presented the following resolution and moved its adoption:

RESOLVED that the salaries of Henry J. Janicki. Draftsman and Ronald R. Norman, Junior Aide, be increased from \$4,000.00 to \$4,200.00 per year, payable in semi monthly installments.

This resilution shall be effective on June 1, 1956.

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

|                       |            |
|-----------------------|------------|
| Supervisor Holtz      | Voting AYE |
| Councilman Wroblewski | " "        |
| Councilman Kornecki   | " "        |
| Councilman Bystrak    | " "        |
| Councilman Trojanoksy | " "        |

CARRIED: AYES: -5-

NOES: -0-

ABSENT: -2-

**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 the said Town of Cheektowaga, New York, on the 21st day of May, 1956 at 7:30 o'clock p.m., Eastern Daylight Saving Time, there were

**Present:**

Benedict T. Holtz, Supervisor  
Felix T. Wroblewski, Councilman  
Stanley R. Bystrak, Councilman  
Joseph Kornecki, Councilman  
Joseph Trojanosky, Councilman

**Absent:**

Joseph A. Neibert, Councilman  
Henry J. Nagel, Councilman

Councilman Trojanosky presented the following resolution and moved its adoption:

WHEREAS, a petition for the extension of the existing Fire District No. 8, in the Town of Cheektowaga, New York, pursuant to the Town Law presented to this Town Board on the 2nd day of March, 1956, and

WHEREAS, it appears to this Town Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by resident taxpayers owning taxable real property aggregating more than one-half of the assessed valuation of all the taxable real property situate in the territory proposed to be annexed to said fire district as an extension thereof, owned by resident taxpayers, and

WHEREAS, said petition is accompanied by a map, showing the boundaries of the proposed extension, and

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

**Description of Territory Proposed To Be Annexed to Fire District No. 8**

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

Beginning at the point of intersection of the easterly line of the

existing fire district with the northerly line of the Village of Depew.

Running thence easterly along the northerly line of the Village of Depew to the easterly line of the New York Central Railroad right-of-way.

Thence northerly and northeasterly along the easterly line of the New York Central Railroad right-of-way to the westerly line of the Lehigh Valley Railroad right-of-way.

Thence northerly along the westerly line of the Lehigh Valley Railroad right-of-way to the southerly line of the West Shore Railroad right-of-way.

Thence southwesterly along the southerly line of the West Shore Railroad right-of-way to the easterly line of the U-Crest Fire District No. 4.

Thence southeasterly along the easterly line of the U-Crest Fire District No. 4 to the northerly line of the Village of Depew.

Thence easterly along the northerly line of the Village of Depew to the westerly line of the existing district.

Thence northerly along the westerly line of the existing district to the northerly line of the existing district.

Thence easterly along the northerly line of the existing district to the easterly line thereof.

Thence southerly along the easterly line of the existing district to the northerly line of the Village of Depew, which is the point of beginning, and

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

**NOW, THEREFORE,**

IT IS ORDERED that the Town Board of the Town of Cheektowaga, meet at the Town Hall, corner of Broadway and Union Road in the Town of Cheektowaga, on the 4th day of June, 1956, at 2:30 o'clock p.m., Eastern Daylight Saving Time, to consider said petition and to hear all persons interested in the subject thereof concerning the

same, and

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk be published at least once in the Depew Herald and Cheektowaga News and the Cheektowaga Sun, newspapers having a general circulation in the township, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing aforesaid and that copies of this order be posted conspicuously in five (5) public places within the proposed extension of said fire district not less than ten (10) nor more than twenty (20) days before said day designated for the hearing.

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

Supervisor Benedict T. Holtz, voting Aye.

Councilman Felix T. Wroblewski, voting Aye.

Councilman Stanley R. Bystrak, voting Aye.

Councilman Joseph Kornecki, voting Aye.

Councilman Joseph Trojanosky, voting Aye.

Ayes: 5; Noes: 0; Absent: 2.

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 now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 21st day of May, 1956, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 21st day of May, 1956.

(Seal)

KENNETH T. HANLEY,  
Clerk of the Town Board,  
m24 Town of Cheektowaga, N. Y.

Item No. 29-Cont'd

Posted as follows on the 25th day of May 1956:

- 1- Telephone Pole No. 22-East Sobieski Street;
- 2- Telephone Pole No. 6-Washington Street;
- 3- Telephone Pole No. 40-East Sobieski Street;
- 4- Post in front of No. 82 Meadowlawn Road;
- 5- Post in front of No. 222 Meadowlawn Road.

Hereto attached is a copy of the Notice published in the Cheektowaga Sun and The Depew Herald-Cheektowaga News.

STATE OF NEW YORK

ss.:

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk be published at least once in the Depew Herald and Cheektowaga News and the Cheektowaga Sun, newspapers having a general circulation in the township, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing aforesaid and that copies of this order be posted conspicuously in five (5) public places within the proposed extension of said fire district not less than ten (10) nor more than twenty (20) days before said day designated for the hearing.

Seconded by Councilman Bystrak and duly put to a vote, which resulted as follows: Supervisor Benedict T. Heltz, voting Aye, Councilman Felix T. Wroblewski, voting Aye, Councilman Stanley R. Bystrak, voting Aye, Councilman Joseph Kornecki, voting Aye, Councilman Joseph Trojanosky, voting Aye. Ayes: 5, Noes: 0, Absent: 2.

STATE OF NEW YORK, ERIE COUNTY, Office of the Clerk of the Town of Cheektowaga, ss: This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 21st day of May, 1956, 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 21 day of May, 1956.

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

EDWIN L. GROSS

being duly sworn, deposes and says that he is the

PUBLISHER

of

## The Cheektowaga Sun

a public newspaper published in the Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 25th day of May, 1956, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*Edwin L. Gross*

Sworn to before me this 4th day of

June, 1956

*Kenneth T. Hanley*

Notary Public in and for Erie County

Hereto attached is a copy of the Notice published in the Cheektowaga Sun and The Depew Herald-Cheektowaga News.

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 the said Town of Cheektowaga, New York, on the 21st day of May, 1956 at 7:30 o'clock P.M., Eastern Daylight Saving Time, there were PRESENT: Benedict T. Holtz, Supervisor; Felix T. Wroblewski, Councilman, Stanley R. Bystrak, Councilman, Joseph Kornecki, Councilman, Joseph Trojanosky, Councilman. ABSENT: Joseph A. Nelbert, Councilman, Henry J. Nagel, Councilman.

Councilman Trojanosky presented the following resolution and moved its adoption:

WHEREAS, a petition for the extension of the existing Fire District No. 3, in the Town of Cheektowaga, New York, pursuant to the Town Law presented to this Town Board on the 2nd day of March, 1956, and

WHEREAS, it appears to this Town Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by resident taxpayers owning taxable real property aggregating more than one-half of the assessed valuation of all the taxable real property situate in the territory proposed to be annexed to said fire district as an extension thereof, owned by resident taxpayers, and

WHEREAS, said petition is accompanied by a map, showing the boundaries of the proposed extension, and

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

**DESCRIPTION OF TERRITORY PROPOSED TO BE ANNEXED TO FIRE DISTRICT NO. 3**

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

Beginning at the point of intersection of the easterly line of the existing fire district with the northerly line of the Village of Depew.

Running thence easterly along the northerly line of the Village of Depew to the easterly line of the New York Central Railroad right-of-way.

Thence northerly and northeasterly along the easterly line of the New York Central Railroad right-of-way to the westerly line of the Lehigh Valley Railroad right-of-way.

Thence northerly along the westerly line of the Lehigh Valley Railroad right-of-way to the southerly line of the West Shore Railroad right-of-way.

Thence southwesterly along the southerly line of the West Shore Railroad right-of-way to the easterly line of the U-Crest Fire District No. 4.

Thence southeasterly along the easterly line of the U-Crest Fire District No. 4 to the northerly line of the Village of Depew.

Thence easterly along the northerly line of the Village of Depew to the westerly line of the existing district.

Thence northerly along the westerly line of the existing district to the northerly line of the existing district.

Then easterly along the northerly line of the existing district to the easterly line thereof.

Thence southerly along the easterly line of the existing district to the northerly line of the Village of Depew, which is the point of beginning, and

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

**NOW, THEREFORE,**

IT IS ORDERED that the Town Board of the Town of Cheektowaga, meet at the Town Hall, corner of Broadway and Union Road in the Town of Cheektowaga, on the 4th day of June, 1956 at 2:30 o'clock P.M., Eastern Daylight Saving Time, to consider said petition and to hear all parties interested in the subject thereof.

and

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk be published at least once in the Depew Herald and Cheektowaga News and the Cheektowaga Sun, newspapers having a general circulation in the township, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing aforesaid and that copies of this order be posted conspicuously in five (5) public places within the proposed extension of said fire district not less than ten (10) nor more than twenty (20) days before said day designated for the hearing.

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

Supervisor Benedict T. Holtz, voting Aye, Councilman Felix T. Wroblewski, voting Aye, Councilman Stanley R. Bystrak, voting aye, Councilman Joseph Kornecki, voting Aye, Councilman Joseph Trojanosky, voting Aye. Ayes: 5, Noes: 0, Absent: 2.

STATE OF NEW YORK, ERIE COUNTY, Office of the Clerk of the Town of Cheektowaga, ss:

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 21st day of May, 1956, 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 21 day of May, 1956.

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

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 1956

*Richard G. Bennett*  
Notary Public

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 \_\_\_\_\_ day of \_\_\_\_\_, 1956, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 1956, and that not more than six days intervened between any two publications thereof.

**Herald and News**  
Depew  
Cheektowaga

being duly sworn, deposes and says that he is the  
PUBLISHER  
of the  
**RICHARD G. BENNETT**

Town charges, 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 3 of paragraph (a) of Section 11.00 of the Local Finance Law and that the period of probable usefulness of said purpose is thirty (30) years.

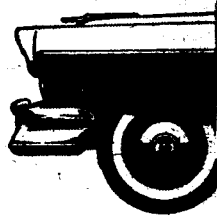
Section 9. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be not later than April 1, 1968.

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 20 days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution of New York.

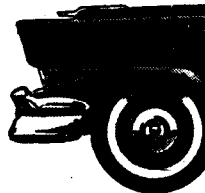
Village of Depew to Rose M. Jakubowski.  
Paul T. Kolb to Paul T. and Gloria Kolb.

**99\$**

**a more  
honey**



This Ford queen bee  
has plus the power of



Here's the car that has  
loads of room for all

**YOU GET**

- V-8 Engine
- Style-Tone P
- Whitewall Tir

## Herald Affiv

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

## 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 the said Town of Cheektowaga, New York, on the 21st day of May, 1956 at 7:30 o'clock p.m., Eastern Daylight Saving Time, there were

## Present:

Benedict T. Holtz, Supervisor  
Felix T. Wroblewski, Councilman  
Stanley R. Bystrak, Councilman  
Joseph Kornecki, Councilman  
Joseph Trojanosky, Councilman

## Absent:

Joseph A. Neibert, Councilman  
Henry J. Nagel, Councilman

Councilman Trojanosky presented the following resolution and moved its adoption:

WHEREAS, a petition for the extension of the existing Fire District No. 3, in the Town of Cheektowaga, New York, pursuant to the Town Law presented to this Town Board on the 2nd day of March, 1956, and

WHEREAS, it appears to this Town Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by resident taxpayers owning taxable real property aggregating more than one-half of the assessed valuation of all the taxable real property situate in the district proposed to be annexed to the district as an extension thereof;

WHEREAS, said petition is accompanied by a map, showing the boundaries of the proposed extension, and

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

Description of Territory Proposed  
To Be Annexed to Fire District  
No. 3

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

Beginning at the point of intersection of the easterly line of the existing fire district with the northerly line of the Village of Depew.

Running thence easterly along the northerly line of the Village of Depew to the easterly line of the New York Central Railroad right-of-way.

Thence northerly and northeasterly along the easterly line of the New York Central Railroad right-of-way to the westerly line of the Lehigh Valley Railroad right-of-way.

Thence northerly along the westerly line of the Lehigh Valley Railroad right-of-way to the southerly line of the West Shore Railroad right-of-way.

Thence southwesterly along the southerly line of the West Shore Railroad right-of-way to the easterly line of the U-Crest Fire District No. 4.

Thence southeasterly along the easterly line of the U-Crest Fire District No. 4 to the northerly line of the Village of Depew.

Thence easterly along the northerly line of the Village of Depew to the westerly line of the existing district.

Thence northerly along the westerly line of the existing district to the northerly line of the existing district.

Thence easterly along the northerly line of the existing district to the easterly line thereof.

Thence southerly along the easterly line of the existing district to the northerly line of the Village of Depew, which is the point of beginning, and

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

NOW, THEREFORE,

IT IS ORDERED that the Town Board of the Town of Cheektowaga, meet at the Town Hall, corner of Broadway and Union Road in the Town of Cheektowaga, on the 4th day of June, 1956, at 2:30 o'clock p.m., Eastern Daylight Saving Time, to consider said petition and to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED that a copy of this order, certified by

Town Clerk be published at least once in the Depew Herald and Cheektowaga News and the Cheektowaga Sun, newspapers having a general circulation in the township, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing aforesaid and that copies of this order be posted conspicuously in five (5) public places within the proposed extension of said fire district not less than ten (10) nor more than twenty (20) days before said day designated for the hearing.

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

Supervisor Benedict T. Holtz, voting Aye.

Councilman Felix T. Wroblewski, voting Aye.

Councilman Stanley R. Bystrak, voting Aye.

Councilman Joseph Kornecki, voting Aye.

Councilman Joseph Trojanosky, voting Aye.

Ayes: 5; Noes: 0; Absent: 2.

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 now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 21st day of May, 1956, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 21st day of May, 1956.

(Seal)

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

Councilman Korneck presented the following resolution and moved its adoption:

WHEREAS, the Sanitation Department has notified the Town Board that they are in need of one (1) new industrial CRAWLER TRACTOR equipped with hydraulic angle type bulldozer blade, be it

RESOLVED, that this request be granted and that the Town Clerk be directed to publish the annexed Notice to Bidders in the Depew Herald and Cheektowaga News, having a circulation in the Town of Cheektowaga, in connection with the said INDUSTRIAL CRAWLER TRACTOR, and be it further

RESOLVED, that the Town Board meet on the 4th day of June, 1956, at 2:30 o'clock P.M., E.D.S.T., at the Town Hall, Broadway and Union Roads, Cheektowaga, New York, for the purpose of receiving sealed bids at which time they will be publicly opened by the Town Board at a public meeting called for that purpose.

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

|                                |        |     |
|--------------------------------|--------|-----|
| Supervisor Benedict T. Holtz   | Voting | AYE |
| Councilman Felix T. Wroblewski | "      | "   |
| Councilman Stanley Bystrak     | "      | "   |
| Councilman Joseph Trojanosky   | "      | "   |
| Councilman Joseph Kornecki     | "      | "   |

AYES: -5-

NOES: -0-

ABSENT: -2-

Hereto attached is a copy of specifications for said INDUSTRIAL CRAWLER TRACTOR:

**SPECIFICATIONS  
FOR INDUSTRIAL CRAWLER TRACTOR  
WITH ANGLE DOZER BLADE  
ONE (1) REQUIRED  
SANITATION DEPARTMENT**

One (1) New 1956 Industrial Crawler Tractor equipped with hydraulic, angle type bulldozer blade in accordance with the following specifications:

1. ENGINE - 4 Cylinder Gasoline Motor  
35 Horsepower min. at 1800 RPM  
130 Cu. In. Minimum Displacement  
Electric Starter and Battery - 6 Volt
2. TRAVEL SPEEDS - 3 forward, 1 reverse
3. TRACTOR - Drawbar pull - 3000# Min. in 1st speed  
Track Gauge - 42"  
Track Shoe Width - 10" Minimum  
Total Ground Contact Area = 1000 Sq. In. Minimum  
Street Pads - Each shoe must be equipped with rubber street pads for use on concrete floor  
Weight: 4200 lbs. Minimum
4. ANGLE DOZER - Blade Height - 17" Min.  
Blade Length - 60" Min.  
Lift Cylinders: Twin Hydraulic double acting Lift Cylinders  
Valve: 4-position control with ball and socket type lever

## INDUSTRIAL CRAWLER TRACTOR

## NOTICE TO BIDDERS

The Town of Cheektowaga hereby requires separate sealed bids for one (1) Industrial Crawler Tractor equipped with hydraulic angle type bulldozer blade, for use in the Sanitation Department.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file.

Copies of the specifications are made available for all prospective bidders. Sealed bids must be received not later than 2:30 p.m. o'clock, Eastern Daylight Saving Time on June 4th, 1956, at which time they will be publicly opened by the Town Board at a public meeting called for that purpose to be held at the Town Hall, corner of Union and Broadway, Cheektowaga, New York.

The Town of Cheektowaga reserves the right to reject any, and all bids, or to waive technical defects in bids if it be in the public interest of the Town of Cheektowaga to do so.

This notice is to be published by direction of the Town Board of the Town of Cheektowaga, New York.  
Dated: May 21, 1956.

KENNETH T. HANLEY,  
my24 Town Clerk

The above Notice to Bidders was posted as follows on the 25th day of May, 1956:

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

Hereto attached is a copy of the Notice published in the Depew Herald-Cheektowaga News:



STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

**NOTICE TO BIDDERS**

The Town of Cheektowaga hereby requires separate sealed bids for one (1) Industrial Crawler Tractor equipped with hydraulic angle type bulldozer blade, for use in the Sanitation Department.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file.

Copies of the specifications are made available for all prospective bidders. Sealed bids must be received not later than 2:30 p.m. o'clock, Eastern Daylight Saving Time on June 4th, 1956, at which time they will be publicly opened by the Town Board at a public meeting called for that purpose to be held at the Town Hall, corner of Union and Broadway, Cheektowaga, New York.

The Town of Cheektowaga reserves the right to reject any, and all bids, or to waive technical defects in bids if it be in the public interest of the Town of Cheektowaga to do so.

This notice is to be published by direction of the Town Board of the Town of Cheektowaga, New York.  
Dated: May 21, 1956.

KENNETH T. HANLEY,  
Town Clerk

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 one week, the first insertion being on the 24th day of May, 1956, and the last insertion being on the 24th day of May, 1956, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this ..... day of

MAY 23 1956

19

*Kenneth T. Hanley*

Notary Public in and for Erie County

hn 11096-C8

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board has heretofore determined it to be in the public interest to make an improvement to consist of the installation of SANITARY SEWERS and APPURTENANCES in BEACH ROAD, Sanitary Sewer District No. 5, in accordance with the plans and specifications prepared by Nussbaumer Clarke and Velzy, Consulting Engineers, on file in the Town Clerks Office, and

WHEREAS, this Board has heretofore directed Nussbaumer, Clarke and Velzy, competent Civil Engineers duly licensed by the State of New York, to prepare definite plans and specifications and make a careful estimate of the expense and with the assistance of the Town Attorney, to prepare a proposed contract for the execution of the work and such plans, specifications, estimate and proposed contract having been duly prepared and presented to this Town Board and likewise filed with the Town Clerk and the same having been carefully examined by this Board,

NOW, THEREFORE,

BE IT RESOLVED, that sealed proposals be invited for the furnishing of labor and materials necessary for the doing of the work for the construction of the improvement to consist of the installation of sanitary sewers and appurtenances in Beach Road, Sanitary Sewer District No. 5, in accordance with said plans, specifications, estimate and proposed contract heretofore approved, by the publication of a notice thereof at least once in the Depew Herald & Cheektowaga News, the Cheektowaga Sun and the Buffalo Evening News, newspapers having a general circulation in the Township, requiring each person who shall offer to do said work to file a sealed proposal or offer to do the work with a certified check in the sum of Five Thousand Dollars (\$5,000.00) or a Bond with sufficient sureties to be approved by the Supervisor in the sum of Five Thousand Dollars (\$5,000.00) conditioned that if his proposal shall be accepted, he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the contract, and be it further

RESOLVED, that sealed proposals be received and considered publicly at a meeting of the Town Board of the Town of Cheektowaga, New York, at the Town Hall in said Town of Cheektowaga on the 4th day of June, 1956, at 2:30 o'clock P.M., Eastern Daylight Saving Time, and be it further

RESOLVED, that said Notice to Contractors be in substantially the following form to wit:

#### NOTICE TO CONTRACTORS

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Cheektowaga, New York, sealed proposals shall be received and considered by said Town Board on the 4th day of June, 1956, at 2:30 o'clock P.M., Daylight Saving Time, at a meeting of the Town Board in the Town Hall in the Town of Cheektowaga, Erie County, New York, for the furnishing of all materials and equipment together with all labor for the construction of certain improvements to the Sanitary Sewer System, to consist of the installation of sanitary sewers and appurtenances in Beach Road, Sanitary Sewer District Number 5.

All in accordance with proposed contract documents, plans, profiles, drawings, instructions to bidders, specifications, and estimates for said construction, prepared by Nussbaumer, Clarke & Velzy, Consulting Engineers for the Town of

Cheektowaga, and approved by the Town Board of said Town, all of which are on file with the Town Clerk at his office in the Town Hall of said Town, where same may be examined during the usual business hours. Copies of the proposed contract, plans, profiles, drawings, instructions to bidders, specifications and estimates may also be examined at the office of Nussbaumer, Clarke & Velzy, Consulting Engineers, of the Town of Cheektowaga, at 327 Franklin Street, Buffalo, New York. One copy of said proposed contract, plans, profiles, drawings, instructions to bidders, specifications and estimates may be obtained upon payment of \$20.00. Any bidder, upon returning such copy in good condition within thirty days following the award of the contract or the rejection of bid of such bidder, will be refunded \$20.00 and any non-bidder, upon return of such copy will be refunded \$10.00.

Each proposal shall be accom-

panied by a certified check payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga, or a bond with sufficient sureties to be approved by the Town Attorney, in the sum of Five Thousand Dollars (\$5,000). If a bond is submitted, the same shall be conditioned, that if the bidder's proposal is accepted, he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the contract. The Town Board reserves the right to reject any and all bids and proposals and to advertise anew and to award one contract for the entire work or separate contracts for portions thereof, if in its judgment it shall deem it to be for the best interests of the Town to do so.

By order of the Town Board of the Town of Cheektowaga.  
Dated: May 21, 1956.

KENNETH T. HANLEY,  
Town Clerk

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

Supervisor Benedict T. Holtz  
Councilman Felix T. Wroblewski  
Councilman Joseph Kornecki  
Councilman Joseph Trojanosky  
Councilman Stanley R. Bystrak

Voting AYE

" "  
" "  
" "  
" "

AYES: -5-

ABSENT: -2-

Item No. 31-Cont'd

Hereto attached is a copy of the Notice to Contractors published in the Depew Herald-Cheektowaga News, the Cheektowaga Sun and the Buffalo Evening News:

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

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 one week, the first insertion being on the 24th day of May, 1956, and the last insertion being on the 24th day of May, 1956, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this ..... day of

19

*Henry Thayer*

Notary Public in and for Erie County

hn 11096-C8

STATE OF NEW YORK  
COUNTY OF ERIE**NOTICE TO CONTRACTORS**

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Cheektowaga, New York, sealed proposals shall be received and considered by said Town Board on the 4th day of June, 1936, at 2:30 o'clock P.M., Daylight Saving Time, at a meeting of the Town Board in the Town Hall in the Town of Cheektowaga, Erie County, New York, for the furnishing of all materials and equipment together with all labor for the construction of certain improvements to the Sanitary Sewer System, to consist of the installation of sanitary sewers and appurtenances in Beach Road, Sanitary Sewer District Number 5.

All in accordance with proposed contract documents, plans, profiles, drawings, instructions to bidders, specifications, and estimates for said construction, prepared by Nussbaumer, Clarke & Veizy, Consulting Engineers for the Town of Cheektowaga, and approved by the Town Board of said Town, all of which are on file with the Town Clerk at his office in the Town Hall of said Town, where same may be examined during the usual business hours. Copies of the proposed contract, plans, profiles, drawings, instructions to bidders, specifications and estimates may also be examined at the office of Nussbaumer, Clarke & Veizy, Consulting Engineers, of the Town of Cheektowaga, at 327 Franklin Street, Buffalo, New York. One copy of said proposed contract, plans, profiles, drawings, instructions to bidders, specifications and estimates may be obtained upon payment of \$20.00. Any bidder, upon returning such copy in good condition within thirty days following the award of the contract or the rejection of bid of such bidder, will be refunded \$20.00 and any non-bidder, upon return of such copy will be refunded \$10.00.

Each proposal shall be accompanied by a certified check payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga, or a bond with sufficient assets to be approved by the Town Attorney, in the sum of Five Thousand Dollars (\$5,000). If a bond is submitted, the same shall be conditioned, that if the bidder's proposal is accepted, he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the con-

the entire work or separate contracts for portions thereof, if in its judgment it shall deem it to be for the best interests of the Town to do so.

By order of the Town Board of the Town of Cheektowaga.  
Dated: May 21, 1936.

KENNETH T. HANLEY,  
my24 Town Clerk

Item No. 31-Cont'd  
published in the Depew Herald-Cheektowaga News, the Cheektowaga Sun and the Buffalo Evening News:

Hereto attached is a copy of the Notice to Contractors

STATE OF NEW YORK  
COUNTY OF ERIE

**NOTICE TO CONTRACTORS**

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Cheektowaga, New York, sealed proposals shall be received and considered by said Town Board on the 4th day of June, 1956, at 2:30 o'clock P.M., Daylight Saving Time, at a meeting of the Town Board in the Town Hall in the Town of Cheektowaga, Erie County, New York, for the furnishing of all materials and equipment together with all labor for the construction of certain improvements to the Sanitary Sewer System, to consist of the installation of sanitary sewers and appurtenances in Beach Road, Sanitary Sewer District Number 5.

All in accordance with proposed contract documents, plans, profiles, drawings, instructions to bidders, specifications, and estimates for said construction, prepared by Nussbaumer, Clarke & Veiky, Consulting Engineers for the Town of Cheektowaga, and approved by the Town Board of said Town, all of which are on file with the Town Clerk at his office in the Town Hall of said Town, where same may be examined during the usual business hours. Copies of the proposed contract, plans, profiles, drawings, instructions to bidders, specifications and estimates may also be examined at the office of Nussbaumer, Clarke & Veiky, Consulting Engineers, of the Town of Cheektowaga, at 327 Franklin Street, Buffalo, New York. One copy of said proposed contract, plans, profiles, drawings, instructions to bidders, specifications and estimates may be obtained upon payment of \$20.00. Any bidder, upon returning such copy in good condition within thirty days following the award of the contract or the rejection of bid of such bidder, will be refunded \$20.00 and any non-bidder, upon return of such copy will be refunded \$10.00.

Each proposal shall be accompanied by a certified check payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga, or a bond with sufficient assets to be approved by the Town Attorney, in the sum of Five Thousand Dollars (\$5,000). If a bond is submitted, the same shall be conditioned, that if the bidder's proposal is accepted, he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the con-

tract and to award one or more of the entire work or separate contracts for portions thereof, if in its judgment it shall deem it to be for the best interests of the Town to do so.

By order of the Town Board of the Town of Cheektowaga.  
Dated: May 21, 1956.

KENNETH T. HANLEY,  
my24 Town Clerk

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

**NOTICE TO CONTRACTORS**  
**NOTICE IS HEREBY GIVEN** that pursuant to a resolution of the Town Board of the Town of Cheektowaga, New York, sealed proposals shall be received and considered by said Town Board on the 4th day of June, 1956, at 2:30 o'clock P.M., Daylight Saving Time, at a meeting of the Town Board in the Town Hall in the Town of Cheektowaga, Erie County, New York, for the furnishing of all materials and equipment together with all labor for the construction of certain improvements to the Sanitary Sewer System, to consist of the installation of sanitary sewers and appurtenances in Beach Road, Sanitary Sewer District Number 5.

All in accordance with proposed contract documents, plans, profiles, drawings, instructions to bidders, specifications, and estimates for said construction, prepared by Nussbaumer, Clarke & Velzy, Consulting Engineers for the Town of Cheektowaga, and approved by the Town Board of said Town, all of which are on file with the Town Clerk at his office in the Town Hall of said Town, where same may be examined during the usual business hours. Copies of the proposed contract, plans, profiles, drawings, instructions to bidders, specifications and estimates may also be examined at the office of Nussbaumer, Clarke & Velzy, Consulting Engineers, of the Town of Cheektowaga, at 327 Franklin Street, Buffalo, New York. One copy of said proposed contract, plans, profiles, drawings, instructions to bidders, specifications and estimates may be obtained upon payment of \$20.00. Any bidder, upon returning such copy in good condition within thirty days following the award of the contract or the rejection of bid of such bidder, will be refunded \$20.00 and any non-bidder, upon return of such copy will be refunded \$20.00.

EDWIN K. GROSS

being duly sworn, deposes and says that he is the

PUBLISHER

of

**The Cheektowaga Sun**

a public newspaper published in the Town of Cheektowaga,

Erie County, New York, that notice of which the

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

was inserted and published therein once a week for

one

week, the first insertion being on the

25th

day of

May

1956

and

the last insertion being on the \_\_\_\_\_ day of

\_\_\_\_\_, 19\_\_\_\_, and that not

more than six days intervened between any two publi-

cations thereof.

*Edwin K. Gross*

Sworn to before me this 4th day of

June

1956

\_\_\_\_\_, 19\_\_\_\_

*Kenneth T. Hawley*

Notary Public in and for Erie County

STATE OF NEW YORK  
COUNTY OF ERIE

**NOTICE TO CONTRACTORS**  
NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Cheektowaga, New York, sealed proposals shall be received and considered by said Town Board on the 4th day of June, 1956, at 2:30 o'clock P.M., Daylight Saving Time, at a meeting of the Town Board in the Town Hall in the Town of Cheektowaga, Erie County, New York, for the furnishing of all materials and equipment together with all labor for the construction of certain improvements to the Sanitary Sewer System, to consist of the installation of sanitary sewers and appurtenances in Beach Road, Sanitary Sewer District Number 5.

All in accordance with proposed contract documents, plans, profiles, drawings, instructions to bidders, specifications, and estimates for said construction, prepared by Nussbaumer, Clarke & Velzy, Consulting Engineers for the Town of Cheektowaga, and approved by the Town Board of said Town, all of which are on file with the Town Clerk at his office in the Town Hall of said Town, where same may be examined during the usual business hours. Copies of the proposed contract, plans, profiles, drawings, instructions to bidders, specifications and estimates may also be examined at the office of Nussbaumer, Clarke & Velzy, Consulting Engineers, of the Town of Cheektowaga, at 327 Franklin Street, Buffalo, New York. One copy of said proposed contract, plans, profiles, drawings, instructions to bidders, specifications and estimates may be obtained upon payment of \$20.00. Any bidder, upon returning such copy in good condition within thirty days following the award of the contract or the rejection of bid of such bidder, will be refunded \$20.00 and any non-bidder, upon return of such copy will be refunded \$10.00.

Each proposal shall be accompanied by a certified check payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga, or a bond with sufficient sureties to be approved by the Town Attorney, in the sum of Five Thousand Dollars (\$5,000). If a bond is submitted, the same shall be conditioned, that if the bidder's proposal is accepted, he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the contract. The Town Board reserves the right to reject any and all bids and proposals and to advertise anew and to award one contract for the entire work or separate contracts for portions thereof, if in its judgment it shall deem it to be for the best interests of the Town to do so.

By order of the Town Board of the Town of Cheektowaga.  
KENNETH T. HANLEY,  
Town Clerk.  
Dated: May 21, 1956.

Evening News

**State of New York**  
**ERIE COUNTY**  
**CITY OF BUFFALO**

of the Town of Cheektowaga, New York, sealed proposals shall be received and considered by said Town Board on the 4th day of June, 1956, at 2:30 o'clock P. M., Daylight Saving Time, at a meeting of the Town Board in the Town Hall in the Town of Cheektowaga, Erie County, New York, for the furnishing of all materials and equipment together with all labor for the construction of certain improvements to the Sanitary Sewer System, to consist of the installation of sanitary sewers and appurtenances in Beach Road, Sanitary Sewer District Number 5.

All in accordance with proposed contract documents, plans, profiles, drawings, instructions to bidders, specifications, and estimates for said construction, prepared by Nusbaumer, Clarke & Velsky, Consulting Engineers for the Town of Cheektowaga, and approved by the Town Board of said Town all of which are on file with the Town Clerk at his office in the Town Hall of said Town, where same may be examined during the usual business hours. Copies of the proposed contract plans, profiles, drawings, instructions to bidders, specifications and estimates may also be examined at the office of Nusbaumer, Clarke & Velsky, Consulting Engineers, of the Town of Cheektowaga, at 727 Franklin Street, Buffalo, New York. One copy of said proposed contract, plans, profiles, drawings, instructions to bidders, specifications and estimates may be obtained upon payment of \$20.00. Any bidder, upon returning such copy in good condition within thirty days following the award of the contract or the rejection of bid of such bidder, will be refunded \$20.00 and any non-bidder, upon return of such copy will be refunded \$10.00.

Each proposal shall be accompanied by a certified check payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga, or a bond with sufficient sureties to be approved by the Town Attorney, in the sum of Five Thousand Dollars (\$5,000). If a bond is submitted, the same shall be conditioned, that if the bidder's proposal is accepted, he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the contract. The Town Board reserves the right to reject any and all bids and proposals and to advertise anew and to award one contract for the entire work or separate contracts for

**Norman J Ronald**

of the City of Buffalo, New York, being duly sworn,  
 deposes and says that he is Principal Clerk  
 of the BUFFALO EVENING NEWS, INC.,  
 Publisher of the BUFFALO EVENING NEWS, a  
 newspaper published in said city, that the notice of  
 which the annexed printed slip taken from said  
 newspaper is a copy, was inserted and published  
 therein once a week for one  
 weeks, the first insertion being on the 23  
 day of May 19 56 \*\*\*\*\*  
 insertion \*\*\*\*\*

*Norman J Ronald*

Sworn to before me this 23 day  
 of May 19 56

*Edward A. Schutt*

Notary Public, Erie County, N. Y.

EDWARD A. SCHUTT  
 Notary Public, State of New York  
 Qualified in Erie County  
 My Commission Expires March 20, 1958



Evening News

**State of New York**  
**ERIE COUNTY**  
**CITY OF BUFFALO**

Whereas a resolution of the Town Board of the Town of Cheektowaga, New York, sealed proposals shall be received and considered by said Town Board on the 4th day of June, 1936, at 2:30 o'clock P. M., Daylight Saving Time, at a meeting of the Town Board in the Town Hall in the Town of Cheektowaga, Erie County, New York, for the furnishing of all materials and equipment together with all labor for the construction of certain improvements to the Sanitary Sewer System, to consist of the installation of sanitary sewers and appurtenances in Beach Road, Sanitary Sewer District Number 5.

All in accordance with proposed contract documents, plans, profiles, drawings, instructions to bidders, specifications, and estimates for said construction, prepared by Nussbaumer, Clarke & Velzy, Consulting Engineers for the Town of Cheektowaga, and approved by the Town Board of said Town all of which are on file with the Town Clerk at his office in the Town Hall of said Town, where same may be examined during the usual business hours. Copies of the proposed contract plans, profiles, drawings, instructions to bidders, specifications and estimates may also be examined at the office of Nussbaumer, Clarke & Velzy, Consulting Engineers, of the Town of Cheektowaga, at 227 Franklin Street, Buffalo, New York.

One copy of said proposed contract plans, profiles, drawings, instructions to bidders, specifications and estimates may be obtained upon payment of \$30.00. Any bidder, upon returning such copy in good condition within thirty days following the award of the contract or the rejection of bid of such bidder, will be refunded \$30.00 and any non-bidder, upon return of such copy will be refunded \$10.00.

Each proposal shall be accompanied by a certified check payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga, or a bond with sufficient sureties to be approved by the Town Attorney, in the sum of Five Thousand Dollars (\$5,000). If a bond is submitted, the same shall be conditioned, that if the bidder's proposal is accepted, he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the contract. The Town Board reserves the right to reject any and all bids and proposals and to advertise anew and to award one contract for the entire work or separate contracts for portions thereof, if in its judgment it shall deem it to be for the best interests of the Town to do so.

By order of the Town Board of the Town of Cheektowaga.  
 Dated: May 21, 1936.  
 KENNETH T. HANLEY  
 Town Clerk

*Edward A. Schutt*

EDWARD A. SCHUTT  
 Notary Public, State of New York  
 Qualified in Erie County  
 My Commission Expires March 30, 1938

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

WHEREAS, it is necessary that drainage pipe be purchased for the purpose of drainage and to protect the property within the Town from floods, freshets and high waters, and for the improvement of ditches, drains and water courses in various areas of the Town in order to prevent the same from overflowing,

NOW, THEREFORE, BE IT RESOLVED,

1. That the sum of Six Thousand Dollars (\$6,000.00) be appropriated from the proceeds of capital notes hereinafter provided to be sold for the purpose of purchasing drainage pipe for the aforesaid purpose, and the Superintendent of Highways and the Town Engineer are hereby directed to report to this Town Board as to the sizes, type and amount of pipe to be purchased.

2. This resolution is adopted pursuant to the provisions of Subdivision 11-a of Section 64 of the Town Law and shall take effect immediately.

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

|                                |            |
|--------------------------------|------------|
| Councilman Felix T. Wroblewski | Voting AYE |
| Councilman Joseph Kornecki     | " "        |
| Councilman Joseph Trojanosky   | " "        |
| Councilman Stanley R. Bystrak  | " "        |
| Supervisor Benedict T. Holtz   | " "        |

AYES: -5-

NOES: -0-

ABSENT: -2-

26

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

#### LOCAL NOTICE

Capital Note Resolution Dated May 21, 1956, authorizing the issuance of \$6,000.00 Capital Notes of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law for the purchase of Drainage Pipe.

WHEREAS, this Town Board has heretofore adopted a resolution pursuant to the provisions of Subdivision 11-a of Section 64 of the Town Law, providing for the expenditure of not exceeding \$6,000.00 for the purchase of drainage pipe,

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 of the aggregate principal amount of \$6,000.00, 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 drainage pipe, pursuant to Subdivision 11-a of Section 64 of the Town Law, for the purpose of drainage and to protect the property within the Town from floods, freshets and high waters, and to otherwise improve ditches, drains and water courses in various areas of the Town in order to prevent the same from overflowing.

Section 3. It is hereby stated that:

(a) The maximum cost of said purpose as estimated by the Town Board is \$6,000.00.

(b) No money has heretofore been applied to the payment of the cost of said purpose.

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

(d) All of such cost shall be paid by assessments to be levied and collected from the several lots and parcels of land within the Town in the same manner and at the same time as other Town charges.

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, \$6,000.00 capital notes of the Town of Cheektowaga, to be designated substantially Capital

Notes Series C of 1956, which shall bear a date not earlier than May 21, 1956, to be fixed by the Supervisor in the following denominations and to be numbered as follows, and mature as follows, to wit:

1. In the amount of \$3,000.00 maturing on April 1, 1957, and

2. In the amount of \$3,000.00 maturing on April 1, 1958,

each of said notes to bear interest at a rate not exceeding 5% per annum, payable semi-annually on April 1 and October 1. Such capital notes to be in bearer form with the privilege of conversion to capital notes registered as to principal and interest.

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 be annually assessed, levied and collected from the several lots and parcels of land within the Town in the same manner and at the same time as other Town charges, 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 Sub-

division 3 of paragraph (a) of Section 11.00 of the Local Finance Law and that the period of probable usefulness of said purpose is thirty (30) years.

Section 9. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be not later than April 1, 1958.

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 20 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 said Local Finance Law, and such publication shall be in the Cheektowaga Sun and in the Depew Herald and Cheektowaga News, newspapers published and having a general circulation in said Town.

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

The capital note resolution published herewith has been adopted on the 21st day of May, 1956, 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  
my24 Town of Cheektowaga, N. Y.

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

Councilman Felix T. Wroblewski  
Councilman Joseph Kornecki  
Councilman Joseph Trojanosky  
Councilman Stanley R. Bystrak  
Supervisor Benedict T. Holtz

Voting AYE

" "

" "

" "

" "

AYES: -5-

NOES: -0-

ABSENT: -2-

ISITS. Parties made possible by the sale of Buddy Poppies are put on patients at the Buffalo VA were entertained by the TV Post and Ladies to right, sitting—Patient, Peter Duda, Post member; Mary Jerozal, Mary Omen, flag bearer; Elene Cook, secretary; Louise Kerl, treasurer; Mary Huk, flag bearer; Bertha Grat, president; Kenneth W. Cook, arer; Felix Symkowiak, trustee; Leon J. J. Pawlak, Erie County service

#### 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 the said Town of Cheektowaga, New York, on the 1st day of May, 1956 at 7:30 clock p.m., Eastern Daylight Saving Time, there were present:

Benedict T. Holtz, Supervisor  
Felix T. Wroblewski, Councilman  
Stanley R. Bystrak, Councilman  
Joseph Kornecki, Councilman  
Joseph Trojanosky, Councilman  
Joseph A. Neibert, Councilman  
Henry J. Nagel, Councilman  
Councilman Trojanosky presented the following resolution and moved adoption:



#### TWIN VILLAGE

Post 463

#### V. F. W. NOTES

The Memorial Day Committee asks that everyone in Depew attend the parade and services on May 30th. Services in Veteran's Park at 11:00 a.m. The Committee is composed of the members of the VFW and American Legion.

If you haven't mailed in your donation for the "Mazur Fire Disaster Fund", do so now.

The Post Membership Committee states it only needs 12 reinstatement to reach 100% paid up to 1956. If you are one of the 12 who hasn't paid for 1956, do so now, so the hard working committee can get credit for all its effort. The Post books will be closed next month.

Remember the VFW motto, "Remember the Dead By Helping the Living". Buy a VFW Buddy Poppy and help the motto come true.

At the last Ladies Auxiliary meeting the following new members have been initiated: Stephanie Hyc, Rita Wesolowski, Alfred Blazak, Anna Hyc. Welcome, ladies to the best VFW Ladies Auxiliary in Erie County.

President Bertha Grat inform your reporter that the Ladies Auxiliary members and officers are going to meet at the Post Home on Monday, May 28 at 7:00 p.m. at which time they will decorate the graves of their Auxiliary members. Everyone is invited.

Yours in Comradeship,  
LEON J. J. PAWLAK

#### VFW AUXILIARY MEMORIAL SERVICE

Memorial services of the VFW Auxiliary of Twin Village Post will be held Sunday, May 27th at 8:00 a.m. in St. James Church. President Bertha Grat requests all members to wear caps.

attached is a copy of the Notice published in the News and the Cheektowaga Sun:

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 one week, the first insertion being on the 27th day of May, 1956, and the last insertion being on the 24th day of May, 1956, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this day of

19

*Kenneth T. Hanley*

Notary Public in and for Erie County

NY 1096-C8

Section 3. It is hereby stated

that:  
(a) The maximum cost of said purpose as estimated by the Town Board is \$8,000.00.  
(b) No money has heretofore been applied to the payment of the cost of said purpose.  
(c) The Town Board plans to finance the cost of said purpose from funds raised by the issuance of said capital notes.  
(d) All of such cost shall be paid by assessments to be levied and collected from the several lots and parcels of land within the Town in the same manner and at the same time as other Town charges.

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, \$8,000.00 capital notes of the Town of Cheektowaga, to be designated substantially Capital Notes Series C of 1956, which shall bear a date not earlier than May 21, 1956, to be fixed by the Supervisor in the following denominations and to be numbered as follows, and mature as follows, to wit:

1. In the amount of \$3,000.00 maturing on April 1, 1957, and
2. In the amount of \$3,000.00 maturing on April 1, 1958, each of said notes to bear interest at a rate not exceeding 5% per annum, payable semi-annually on April 1 and October 1. Such capital notes to be in bearer form with the privilege of conversion to capital notes registered as to principal and interest.

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 be annually assessed, levied and collected from the several lots and parcels of land within the Town in the same manner and at the same time as other Town charges, 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 not less than par value of such notes, interest, if any, and the proceeds of such sale shall be used for the purpose aforesaid. The receipt of the Supervisor shall be a full acquittance to the Town of such capital notes and the Town shall be obliged to see to the redemption of the purchase money.

Section 8. It is hereby determined that said purpose is an object or purpose described in subdivision 3 of paragraph 10 of Section 11.00 of the Local Finance Law and that the period of probable usefulness of said purpose is thirty (30) years.

Section 9. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be not later than April 1, 1958.

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 20 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 said Local Finance Law, and such publication shall be in the Cheektowaga Sun and in the Depew Herald and Cheektowaga News, newspapers published and having a gen-

eral circulation in said Town.

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

The capital note resolution published herewith has been adopted on the 21st day of May, 1956, 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  
May 24 Town of Cheektowaga, N. Y.

STATE OF NEW YORK  
COUNTY OF ERIE

LEGAL NOTICE

Capital Note Resolution Dated May 21, 1956, authorizing the issuance of \$8,000.00 Capital Notes of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law for the purchase of Drainage Pipe.

WHEREAS, this Town Board has heretofore adopted a resolution pursuant to the provisions of Subdivision 11-a of Section 64 of the Town Law, providing for the expenditure of not exceeding \$8,000.00 for the purchase of drainage pipe.

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 of the aggregate principal amount of \$8,000.00, 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 drainage pipe, pursuant to Subdivision 11-a of Section 64 of the Town Law, for the purpose of drainage and to protect the property within the Town from floods, freshets and high waters, and to otherwise improve ditches, drains and water courses in various areas of the Town in order to prevent the same from overflowing.

Sworn to before me

*Kenneth T. Hanley*

Notary Public

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

EDWIN K. GROSS

being duly sworn, deposes and says that he is the

PUBLISHER

of

## The Cheektowaga Sun

a public newspaper published in the Town of Cheektowaga,  
Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
one week, the first insertion being on the  
25th day of May, 1956, and  
the last insertion being on the \_\_\_\_\_ day of  
\_\_\_\_\_, 19\_\_\_\_, and that not  
more than six days intervened between any two publi-  
cations thereof.

*Edwin K. Gross*

Sworn to before me this 4th day of

June, 1956

*Henry D. Hane*  
Notary Public in and for Erie County

and payment of the same shall be made in such year sufficient to pay the principal of and interest on such capital note becoming due and payable in such year. There shall be annually assessed, levied and collected from the several lots

for the purpose of the same.

Star Week of Cheektowaga, N.Y., was sponsored by the Star Week of Cheektowaga, N.Y., an annual event.

Kindergarten.

Carney and Mrs. MacConochie, taken by Mrs. MacConochie, who was in charge of the arrangements, was in charge of the event.

Mrs. Samuel Carney, 3000 Wagon Dr.

Home of Mrs. William F. Schmitt.

Garden Party to be held at the site of the building for the purpose of a brief meeting to see Mrs. John L. MacConochie for the annual May social event at the annual Hotel in Delaware.

the Costello Room of the Hotel Club met Wednesday evening.

Washington Women's Republic.

The Cleveland Hill Mart.

an operation.

Millard Hillmore Hospital at Frank Trimmer is conducting.

It was announced that the best wishes.

bers of the auxiliary with the presented with a gift by the Mrs. Thomas Hanley. She operates the luncheon table in honor.

A pork theme was used to prize.

games, with boxes of candy.

meeting, which was followed.

Vine provided at a brief business.

Star Week, Mrs. D.

STATE OF NEW YORK  
COUNTY OF ERIE

**CAPITAL NOTE RESOLUTION DATED MAY 21, 1964, AUTHORIZING THE ISSUANCE OF \$6,000.00 CAPITAL NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW FOR THE PURCHASE OF DRAINAGE PIPE.**

WHEREAS, this Town Board has heretofore adopted a resolution pursuant to the provisions of Subdivision 11-a of Section 64 of the Town Law, providing for the expenditure of not exceeding \$6,000.00 for the purchase of drainage pipe,

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 of the aggregate principal amount of \$6,000.00, 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 drainage pipe, pursuant to Subdivision 11-a of Section 64 of the Town Law, for the purpose of drainage and to protect the property within the Town from floods, freshets and high waters, and to otherwise improve ditches, drains and water courses in various areas of the Town in order to prevent the same from overflowing.

Section 3. It is hereby stated that:

a) The maximum cost of said purpose as estimated by the Town Board is \$6,000.00.

b) No money has heretofore been applied to the payment of the cost of said purpose.

c) The Town Board plans to finance the cost of said purpose from funds raised by the issuance of said capital notes.

d) All of such cost shall be paid by assessments to be levied and collected from the several lots and parcels of land within the Town in the same manner at the same time as other Town charges.

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, \$6,000.00 capital notes of the Town of Cheektowaga, to be designated substantially Capital Notes Series C of 1964, which shall bear a date not earlier than May 21, 1964, to be fixed by the Supervisor in the following denominations and to be numbered as follows, and mature as follows, to wit:

1. In the amount of \$3,000.00 maturing on April 1, 1967, and

2. In the amount of \$3,000.00 maturing on April 1, 1968,

each of said notes to bear interest at a rate not exceeding 5% per annum, payable semi-annually on April 1 and October 1. Such capital notes to be in bearer form with the privilege of conversion to capital notes registered as to principal and interest.

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 be annually assessed, levied and collected from the several lots and parcels of land within the Town in the same manner and at the same time as other Town charges, 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 3 of paragraph (a) of Section 11.00 of the Local Finance Law and that the period of probable usefulness of said purpose is thirty (30) years.

Section 9. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be not later than April 1, 1968.

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 20 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 said Local Finance Law, and such publication shall be in the CHEEKTOWAGA SUN and in the DEPEW HERALD AND CHEEKTOWAGA NEWS, newspapers published and having a general circulation in said Town.

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

The capital note resolution published herewith has been adopted on the 21st day of May, 1964, and the validity of the obligations authorized by such capital note resolution may be hereafter contested only if such obligations were

... at private sale to the purchaser at a price of not less than par value of said 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 3 of paragraph (a) of Section 11.00 of the Local Finance Law and that the period of probable usefulness of said purpose is thirty (30) years.

Section 9. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be not later than April 1, 1958.

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 20 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 said Local Finance Law, and such publication shall be in the CHEEKTOWAGA SUN and in the DEPEW HERALD AND CHEEKTOWAGA NEWS, newspapers published and having a general circulation in said Town.

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

The capital note resolution published herewith has been adopted on the 21st day of May, 1956, 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  
New York



Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, the bond resolutions hereinafter referred to have taken effect in accordance with law and the Town Board desires to make provision for the issuance of the bonds authorized by said bond resolution; NOW, THEREFORE

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

(1) Bonds of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$3,000 shall be issued pursuant to the bond resolution entitled "Bond Resolution dated July 11th, 1955, authorizing the issuance of \$5,000.00 for the Paving of a portion of Aurora Drive in the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law", which was adopted by the Town Board on July 11, 1955. Said bonds shall be designated "Serial Street Improvement Bonds", and shall consist of two bonds of the denomination of \$1,000 each, numbered 1 and 2, and two bonds of the denomination of \$500 each, numbered 3 and 4, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on April 1 in each year as follows, viz.: \$1,000 in each of the years 1957 and 1958 and \$500 in each of the years 1959 and 1960.

(2) Bonds of the said Town of the aggregate principal amount of \$9,000 shall be issued pursuant to the bond resolution entitled "Bond Resolution dated July 11th, 1955, authorizing the issuance of \$14,000.00 for the paving of Abeles Avenue and Tillotson Avenue in the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law", which was adopted by the Town Board on July 11th, 1955. Said bonds shall be designated "Serial Street Improvement Bonds", and shall consist of nine bonds of the denomination of \$1,000 each, numbered from 5 to 13, inclusive, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on April 1 in each year as follows; viz.: \$2,000 in each of the years 1957 to 1959, inclusive, and \$3,000 in the year 1960.

(3) Bonds of said Town of the aggregate principal amount of \$7,000 shall be issued pursuant to the bond resolution entitled "Bond Resolution dated July 11th, 1955, authorizing the issuance of \$10,000.00 for the Paving of Lena Avenue and Vincent Avenue in the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law", which was adopted by the Town Board July 11, 1955. Said bonds shall be designated "Serial Street Improvement Bonds", and shall consist of seven bonds of the denomination of \$1,000 each, numbered from 14 to 20, inclusive, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on April 1 in each year as follows, viz.: \$2,000 in each of the years 1957 to 1959, inclusive, and \$1,000 in the year 1960.

(4) Bonds of said Town of the aggregate principal amount of \$5,500 shall be issued pursuant to the bond resolution entitled "Bond Resolution dated July 11th, 1955, authorizing the issuance of \$9,000.00 for the paving of Mapleview Road in the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law", which was adopted by the Town Board on July 11, 1955. Said bonds shall be designated "Serial Street Improvement Bonds", and shall consist of three bonds of the denomination of \$500 each, numbered 22, 24 and 26, and four bonds of the denomination of \$1,000 each, numbered 21, 23, 25 and 27, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on April 1 in each year as follows, viz.: \$1,500 in each of the years 1957 to 1959, inclusive, and \$1,000 in the year 1960.

(5) Bonds of said Town of the aggregate principal amount of \$6,000 shall be issued pursuant to the bond resolution entitled "Bond Resolution dated July 11th, 1955, authorizing the issuance of \$8,100.00 for the Paving of a portion of Yorktown Street in the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law", which was adopted by the Town Board on July 11, 1955. Said bonds shall be designated "Serial Street Improvement Bonds", and shall consist of four bonds of the denomination of \$500 each, numbered 29, 31, 33 and 35, and four bonds of the denomination of \$1,000 each, numbered 28, 30, 32, and 34, in the order of their maturity and shall constitute an issue of bonds payable in annual installments on April 1 in each year as follows, viz.: \$1,500 in each of the years 1957 to 1960, inclusive.

(6) Bonds of said Town of the aggregate principal amount of \$10,000 shall be issued pursuant to the bond resolution entitled "Bond Resolution dated October 3, 1955, authorizing the issuance of \$10,000.00 Serial Bonds of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law, to finance the construction of Curbing", which was adopted by the Town Board on October 3, 1955. Said bonds shall be designated "Serial Street Improvement Bonds", and shall consist of four bonds of the denomination of \$500 each, numbered 38, 41, 44 and 47, and eight bonds of the denomination of \$1,000 each, numbered 36, 37, 39, 40, 42, 43, 45 and 46, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on April 1 in each year as follows, viz.: \$2,500 in each of the years 1957 to 1960, inclusive.

Item No. 34 cont'd.

(7) Bonds of said Town of the aggregate principal amount of \$2,500 shall be issued pursuant to the bond resolution entitled "Bond Resolution dated December 19, 1955, authorizing the issuance of \$3,000.00 Serial Bonds of the Town of Cheektowaga, in the County of Erie pursuant to the Local Finance Law, to finance the construction of a lateral sewer", which was adopted by the Town Board on December 19, 1955. Said bonds shall be designated "Serial Lateral Sewer Bonds", and shall consist of one bond of the denomination of \$1,000 numbered 1, and three bonds of the denomination of \$500 each, numbered from 2 to 4, inclusive, in the order of their maturity and shall constitute an issue of bonds payable in annual installments on April 1 in each year as follows, viz.: \$1,000 in the year 1957 and \$500 in each of the years 1958 to 1960, inclusive.

(8) Bonds of said Town of the aggregate principal amount of \$2,200 shall be issued pursuant to the bond resolution entitled "Bond Resolution dated December 19, 1955, authorizing the issuance of \$2,200.00 Serial Bonds of the Town of Cheektowaga in the County of Erie, pursuant to the Local Finance Law, to finance the construction of a Lateral sewer", which was adopted by the Town Board on December 19, 1955. Said bonds shall be designated "Serial Lateral Sewer Bonds", and shall consist of one bond of the denomination of \$200, numbered 5, and four bonds of the denomination of \$500 each, numbered 6 to 9, inclusive, in the order of their maturity, and shall constitute an issue of bonds payable on April 1 in each year as follows, viz.: \$700 in the year 1957 and \$500 in each of the years 1958 to 1960, inclusive.

(9) Bonds of said Town of the aggregate principal amount of \$8,000 shall be issued pursuant to the bond resolution entitled "Bond Resolution dated January 16, 1956, authorizing the issuance of \$11,800.00 Serial Bonds of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law, to finance the construction of a Lateral Sewer", which was adopted by the Town Board on January 16, 1956. Said bonds shall be designated "Serial Lateral Sewer Bonds", and shall consist of eight bonds of the denominations of \$1,000 each, numbered from 10 to 17, inclusive, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on April 1 in each year as follows, viz.: \$2,000 in each of the years 1957 to 1960, inclusive.

(10) Bonds of the said Town of the aggregate principal amount of \$41,000 shall be issued pursuant to the bond resolution entitled "Bond Resolution dated October 31, 1955, authorizing the issuance of \$65,000.00 Serial Bonds of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law, to finance the construction of a Lateral Sewer", which was adopted by the Town Board on October 31, 1955. Said bonds shall be designated "Serial Lateral Sewer Bonds", and shall consist of forty-one bonds of the denominations of \$1,000 each, numbered from 18 to 58, inclusive, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on April 1 in each year as follows, viz.: \$11,000 in the year 1957 and \$10,000 in each of the years 1958 to 1960, inclusive.

(11) Bonds of said Town of the aggregate principal amount of \$4,000 shall be issued pursuant to the bond resolution entitled "Bond Resolution dated July 11th, 1955, authorizing the issuance of \$4,000.00 Serial Bonds of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law, to finance the construction of a lateral sewer", which was adopted by the Town Board on July 11, 1955. Said bonds shall be designated "Serial Lateral Sewer Bonds", and shall consist of four bonds of the denominations of \$1,000 each, numbered from 59 to 62, inclusive, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on April 1 in each year as follows, viz.: \$1,000 in each of the years 1957 to 1960, inclusive.

(12) Bonds of said Town of the aggregate principal amount of \$3,000 shall be issued pursuant to the bond resolution entitled "Bond Resolution dated July 11th, 1955, authorizing the issuance of \$5,000.00 Serial Bonds of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law, to finance the construction of a lateral sewer", which was adopted by the Town Board on July 11, 1955. Said bonds shall be designated "Serial Lateral Sewer Bonds", and shall consist of two bonds of the denomination of \$1,000 each, numbered 63 and 64, and two bonds of the denominations of \$500 each, numbered 65 and 66, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on April 1 in each year as follows, viz.: \$1,000 in each of the years 1957 and 1958, and \$500 in each of the years 1959 and 1960.

(13) All of said bonds shall be dated April 1, 1956 and shall bear interest from their date at a rate which shall not exceed five per centum (5%) per annum. Interest on said bonds shall be payable semi-annually on April 1 and October 1.

(14) Both principal of and interest on said bonds shall be payable at the Manufacturers and Traders Trust Company of Buffalo, in Buffalo, New York, in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts.

(15) Each of said bonds shall be payable to bearer with coupons attached for the payment of interest to bearer and such bonds shall be convertible into a registered bond. Each of said bonds shall be executed by the Town Supervisor of said Town and shall be attested by the Town Clerk of said Town. Each of said bonds shall be sealed with the seal of said Town. Each of the interest coupons to be attached to said bonds shall be authenticated by the facsimile signature of said Town Supervisor

(16) The power to prescribe the terms, form and contents of said Serial Bonds, subject to the provisions of this resolution, and all powers and duties pertaining or incidental to the sale and issuance of said Serial Bonds, are hereby delegated to the Town Supervisor. Said bonds shall bear interest at the rate specified in the proposal to purchase said bonds which shall be accepted by the Town Supervisor at the public sale of said bonds.

(17) The faith and credit of the Town are hereby pledged to the payment of said bonds and the interest thereon as the same become due and payable.

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

|            |             |                   |
|------------|-------------|-------------------|
| Supervisor | Holtz,      | Voting <u>Aye</u> |
| Councilman | Wroblewski, | Voting <u>Aye</u> |
| Councilman | Bystrak,    | Voting <u>Aye</u> |
| Councilman | Trojanosky, | Voting <u>Aye</u> |
| Councilman | Kornecki,   | Voting <u>Aye</u> |

AYES :-5-

NOES -0-

ABSENT -2-

12  
13  
24

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

#### LEGAL NOTICE

Capital Note Resolution dated May 21, 1956, authorizing the issuance of \$4,200.00 Lighting District Capital Notes of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law.

WHEREAS, the expense of making the improvements hereinafter described must be borne by local assessment upon the several lots and parcels of land within the districts in proportion to the amount of benefit which the improvements shall confer upon the same, and in the manner provided in Section 202-a of the Town Law for the assessment of the cost of maintenance in a sewer district as the same shall be annually determined and apportioned by the Town Board, and the Town Board desires to issue capital notes to finance the cost of said improvements and to annually apportion and assess upon the several lots and parcels of lands especially benefited by such improvements in proportion to the amount of benefit which the improvements shall confer upon the same, an amount sufficient to pay the principal of and interest on the capital notes issued for such improvements as the same shall become due and payable, all of which shall be done in accordance with the provisions of Subdivision 6 of Section 198 of Chapter 634 of the Laws of 1932 as amended by Chapter 325 of the Laws of 1946,

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 of the aggregate principal amount of \$4,200.00, 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 and installation of street lighting equipment pursuant to Section 198 of the Town Law of New York, along the highways as hereinafter set forth, to serve properties on both sides of said highways, to wit:

- (a) Delray Avenue from Huth Road to Hillside Avenue.
- (b) North Pleasant Parkway from Dingens Street to Bismarck Street.
- (c) Kilbourne Road from Central Boulevard to Creek.
- (d) Ontario Drive from Huth Road to Foisset Road.
- (e) Kemp Avenue from Tillotson Avenue to The Avenue.

Section 3. It is hereby stated that:

- (a) The maximum cost of said purpose as estimated by the Town

Board is \$4,200.00.

(b) No money has heretofore been applied to the payment of the cost of said purpose, except payment of Light Standards from General Fund to be repaid from proceeds of Capital Notes.

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

(d) All of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

Section 4. For the purpose of paying the cost of such purpose, there are hereby authorized to be issued, pursuant to the Local Finance Law, \$4,200.00 capital notes of the Town of Cheektowaga, to be designated substantially Lighting District Capital Notes Series A of 1956, which shall bear a date not earlier than May 21, 1956, to be fixed by the Supervisor in the following denominations and to be numbered as follows, and maturing as follows, to wit:

1. In the amount of \$2,100.00 maturing on April 1, 1957, and
  2. In the amount of \$2,100.00 maturing on April 1, 1958,
- each of said notes to bear interest at a rate not exceeding 5% per annum, payable semi-annually on April 1 and October 1. Such Capital Notes to be in bearer form with the privilege of conversion to capital notes registered as to principal and interest.

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 apportioned and assessed upon the several lots and parcels of land especially benefited by the aforesaid improvements in proportion to the amount of benefit which the improvements shall confer upon the same, and in the manner provided in Section 202-a 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 35 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five (5) years.

Section 9. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be not later than April 1, 1958.

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 20 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 said Local Finance Law, and such publication shall be in the Cheektowaga Sun and in the Depew Herald and Cheektowaga News, newspapers published and having a general circulation in said Town.

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

The capital note resolution published herewith has been adopted on the 21st day of May, 1956, 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, N. Y.

my24

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

|                                |            |
|--------------------------------|------------|
| Councilman Felix T. Wroblewski | Voting AYE |
| Councilman Joseph Kornecki     | " "        |
| Councilman Joseph Trojanosky   | " "        |
| Councilman Stanley R. Bystrak  | " "        |
| Supervisor Benedict T. Holtz   | " "        |

AYES: -5-

NOES: -0-

ABSENT: -2-

Hereto attached is a copy of the Notice published in the Cheektowaga Sun and the Depew Herald-Cheektowaga News:

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

EDWIN K. GROSS

being duly sworn, deposes and says that he is the

PUBLISHER

of

## The Cheektowaga Sun

a public newspaper published in the 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~~ <sup>once</sup> in once a week for 25th week, the first insertion being 30th day of June, 1956, and the last insertion being on the 4th day of June, 1956, and that not more than six days intervened between any two publications thereof.

4th

Sworn to before me this June day of 56

19

*Kenneth J. [Signature]*  
Notary Public in and for Erie County

CAPITAL NOTE RESOLUTION DATED MAY 21, 1956, AUTHORIZING THE ISSUANCE OF \$4,200.00 LIGHTING DISTRICT CAPITAL NOTE OF THE TOWN OF CHEEKTOWAGA, IN ERIE COUNTY OF NEW YORK.

Capital Note Resolution Dated May 21, 1956, Authorizing the Issuance of \$4,200.00 Lighting District Capital Note of the Town of Cheektowaga, in Erie County of New York. The resolution provides for the issuance of capital notes for the purpose of financing the construction of a new lighting system for the Town of Cheektowaga. The resolution also provides for the payment of interest on the notes at a rate of 5% per annum. The resolution is subject to the approval of the Town Board and the State Board of Finance.

STATE OF NEW YORK  
COUNTY OF ERIE

CAPITAL NOTE RESOLUTION DATED MAY 21, 1956, AUTHORIZING THE ISSUANCE OF \$4,200.00 LIGHTING DISTRICT CAPITAL NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW.

WHEREAS, the expense of making the improvements herein-after described must be borne by local assessment upon the several lots and parcels of land within the districts in proportion to the amount of benefit which the improvements shall confer upon the same, and in the manner provided in Section 202-a of the Town Law for the assessment of the cost of

maintaining the same shall be annually as the same shall be annually determined and apportioned by the Town Board, and the Town Board desires to issue capital notes to finance the cost of said improvements and to annually apportion and assess upon the several lots and parcels of lands especially benefited by such improvements in proportion to the amount of benefit which the improvements shall confer upon the same, an amount sufficient to pay the principal of and interest on the capital notes issued for such improvements as the same shall become due and payable, all of which shall be done in accordance with the provisions of Subdivision 6 of Section 198 of Chapter 634 of the Laws of 1932 as amended by Chapter 325 of the Laws of 1946,

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 of the aggregate principal amount of \$4,200.00 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 and installation of street lighting equipment pursuant to Section 198 of the Town Law of New York, along the highways as hereinafter set forth, to serve properties on both sides of said highways, to wit:

- a) Delray Avenue from Huth Road to Hillside Avenue.
- b) North Pleasant Parkway from Diggins Street to Bismarck Street.
- c) Kilbourne Road from Central Avenue to Creek.
- d) Ontario Drive from Hillside Road to Folisett Road.
- e) Kemp Avenue from Tillotson Avenue to The Avenue.

Section 3. It is hereby stated that:

- a) The maximum cost of said purpose as estimated by the Town Board is \$4,200.00.
- b) No money has heretofore been applied to the payment of the cost of said purpose, except payment of Light Standards from General Fund to be repaid from proceeds of Capital Notes.
- c) The Town Board plans to finance the cost of said purpose from funds raised by the issuance of said capital notes.
- d) All of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

Section 4. For the purpose of paying the cost of such purpose, there are hereby authorized to be issued, pursuant to the Local Finance Law, \$4,200.00 capital notes of the Town of Cheektowaga, to be designated substantially Lighting District Capital Notes Series A of 1956, which shall bear a date not earlier than May 21, 1956, to be fixed by the Supervisor in the following denominations and to be numbered as follows, and mature as follows, to wit:

1. In the amount of \$2,100.00 maturing on April 1, 1957, and
  2. In the amount of \$2,100.00 maturing on April 1, 1958,
- each of said notes to bear interest at a rate not exceeding 5% per annum, payable semi-annually on April 1 and October 1. Such Capital Notes to be in bearer form with the privilege of conversion to capital notes registered as to principal and interest.

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 apportioned and assessed upon the several lots and parcels of land especially benefited by the aforesaid improvements in proportion to the amount of benefit which the improvements shall confer upon the same, and in the manner provided in Section 202-a 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 to the purpose aforesaid, but the

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

Section 6. The health 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 apportioned and assessed upon the several lots and parcels of land especially benefited by the aforesaid improvements in proportion to the amount of benefit which the improvements shall confer upon the same, and in the manner provided in Section 208-a 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 35 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five (5) years.

Section 9. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be not later than April 1, 1963.

Section 10. The validity of said Capital Notes may be contested only if such obligations are not 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 20 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 said Local Finance Law, and such publication shall be in the CHEEKTOWAGA SUN, and in the DEPEW HERALD AND CHEEKTOWAGA NEWS, newspapers published and having a general circulation in said Town.

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

The capital note resolution published herewith has been adopted on the 21st day of May, 1956, and the validity of the obligations authorized by such capital note resolution may be hereafter contested only if such obligations were not 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

Councilman Felix T. Wroblewski  
Councilman Joseph Kornecki  
Councilman Joseph Trojanosky  
Councilman Stanley R. Bystrak  
Supervisor Benedict T. Holtz

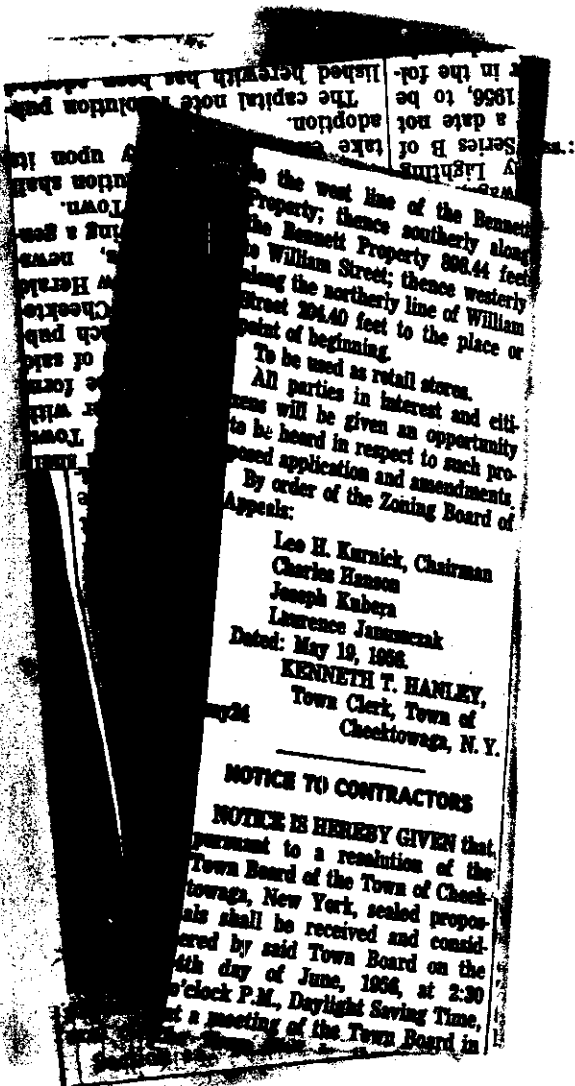
Voting AYE

" "  
" "  
" "  
" "

NOES: -0-

ABSENT: -2-

Also attached is a copy of the Notice published in the Cheektowaga and-Cheektowaga News:



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 one week, the first insertion being on the 24th day of May, 1956, and the last insertion being on the 24th day of May, 1956, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this \_\_\_\_\_ day of

JUN 26 1956

19

*Kenneth T. Hanley*

Notary Public in and for Erie County

hn 11096-C8



STATE OF NEW YORK  
COUNTY OF ERIE

**Special Notice**  
Capital Note Resolution dated May 21, 1956, authorizing the issuance of \$4,200.00 Lighting District Capital Notes of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law.

WHEREAS, the expense of making the improvements hereinafter described must be borne by local assessment upon the several lots and parcels of land within the districts in proportion to the amount of benefit which the improvements shall confer upon the same, and in the manner provided in Section 53.00 of the Town Law for the assessment of the cost of maintenance in a sewer district as the same shall be annually determined and apportioned by the Town Board, and the Town Board desires to issue capital notes to finance the cost of said improvements and to annually apportion and assess upon the several lots and parcels of lands especially benefited by such improvements in proportion to the amount of benefit which the improvements shall confer upon the same, an amount sufficient to pay the principal of and interest on the capital notes issued for such improvements as the same shall become due and payable, all of which shall be done in accordance with the provisions of Subdivision 6 of Section 198 of Chapter 624 of the Laws of 1932 as amended by Chapter 325 of the Laws of 1946,

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 of the aggregate principal amount of \$4,200.00, 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 and installation of street lighting equipment pursuant to Section 198 of the Town Law of New York, along the highways as hereinafter set forth, to serve properties on both sides of said highways, to wit:

- (a) Delray Avenue from Huth Road to Hillside Avenue.
- (b) North Pleasant Parkway from Dingens Street to Bismarek Street.
- (c) Kilbourne Road from Central Boulevard to Creek.
- (d) Ontario Drive from Huth Road to Foiset Road.
- (e) Kemp Avenue from Tillotson Avenue to The Avenue.

Section 3. It is hereby stated that:

(a) The maximum cost of said purpose as estimated by the Town Board is \$4,200.00.

(b) No money has heretofore been applied to the payment of the cost of said purpose, except payment of Light Standards from General Fund to be repaid from proceeds of Capital Notes.

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

(d) All of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

Section 4. For the purpose of paying the cost of such purpose, there are hereby authorized to be issued, pursuant to the Local Finance Law, \$4,200.00 capital notes of the Town of Cheektowaga, to be designated substantially Lighting District Capital Notes Series A of 1956, which shall bear a date not earlier than May 21, 1956, to be fixed by the Supervisor in the following denominations and to be numbered as follows, and maturing as follows, to wit:

1. In the amount of \$2,100.00 maturing on April 1, 1957, and
2. In the amount of \$2,100.00 maturing on April 1, 1958,

each of said notes to bear interest at a rate not exceeding 5% per annum, payable semi-annually on April 1 and October 1. Such Capital Notes to be in bearer form with the privilege of conversion to capital notes registered as to principal and interest.

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 53.00 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 apportioned and assessed upon the several lots and parcels of land especially benefited by the aforesaid improvements in proportion to the amount of benefit which the improvements shall confer upon the same, and in the manner provided in Section 53.00 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 subject to 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 35 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five (5) years.

Section 9. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be not later than April 1, 1958.

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 20 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 said Local Finance Law, and such publication shall be in the Cheektowaga Sun and in the Depew Herald and Cheektowaga News, newspapers published and having a general circulation in said Town.

Section 12. This resolution shall

take effect immediately upon its adoption.

The capital note resolution published herewith has been adopted on the 21st day of May, 1956, 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, N. Y.

my24

hn 11096-CB

The following resolution was offered by Mr. Bystrak, who moved its adoption.

#### LEGAL NOTICE

Capital Note Resolution dated May 21, 1956, authorizing the issuance of \$4,800.00 Lighting District Capital Notes of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law.

WHEREAS, the expense of making the improvements hereinafter described must be borne by local assessment upon the several lots and parcels of land within the districts in proportion to the amount of benefit which the improvements shall confer upon the same, and in the manner provided in Section 202-a of the Town Law for the assessment of the cost of maintenance in a sewer district as the same shall be annually determined and apportioned by the Town Board, and the Town Board desires to issue capital notes to finance the cost of said improvements and to annually apportion and assess upon the several lots and parcels of lands especially benefited by such improvements in proportion to the amount of benefit which the improvements shall confer upon the same, an amount sufficient to pay the principal of and interest on the capital notes issued for such improvements as the same shall become due and payable, all of which shall be done in accordance with the provisions of Subdivision 6 of Section 198 of Chapter 634 of the Laws of 1932 as amended by Chapter 325 of the Laws of 1946,

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 of the aggregate principal amount of \$4,800.00, 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 and installation of street lighting equipment pursuant to Section 198 of the Town Law of New York, along the highways as hereinafter set forth, to serve properties on both sides of said highways, to wit:

- (a) McParlin Avenue from Harlem Road to end of street.
- (b) Fairhaven Drive from Union Road to Cleveland Drive.
- (c) Melcourt Drive west from Cameron to end of street.
- (d) West Chester Drive from Harlem Road to Ridge Park Avenue.
- (e) Alpine Place from Herbert Place to Penneck Place.

Section 3. It is hereby stated that:

- (a) The maximum cost of said purpose as estimated by the Town Board is \$4,800.00.
- (b) No money has heretofore

been applied to the payment of the cost of said purpose, except payment of Light Standards from General Fund to be repaid from proceeds of Capital Notes.

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

(d) All of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

Section 4. For the purpose of paying the cost of such purpose, there are hereby authorized to be issued, pursuant to the Local Finance Law, \$4,800.00 capital notes of the Town of Cheektowaga, to be designated substantially Lighting District Capital Notes Series B of 1956, which shall bear a date not earlier than May 21, 1956, to be fixed by the Supervisor in the following denominations and to be numbered as follows, and mature as follows, to wit:

1. In the amount of \$2,400.00 maturing on April 1, 1957, and
  2. In the amount of \$2,400.00 maturing on April 1, 1958,
- each of said notes to bear interest at a rate not exceeding 5% per annum, payable semi-annually on April 1 and October 1. Such Capital Notes to be in bearer form with the privilege of conversion to capital notes registered as to principal and interest.

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 apportioned and assessed upon the several lots and parcels of land especially benefited by the aforesaid improvements in proportion to the amount of benefit which the improvements shall confer upon the same, and in the manner provided in Section 202-a 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 35 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five (5) years.

Section 9. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be not later than April 1, 1958.

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 20 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 said Local Finance Law, and such publication shall be in the Cheektowaga Sun and in the Depew Herald and Cheektowaga News, newspapers published and having a general circulation in said Town.

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

The capital note resolution published herewith has been adopted on the 21st day of May, 1956, 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, N. Y.

my24

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

|                                |            |
|--------------------------------|------------|
| Councilman Felix T. Wreblewski | Voting AYE |
| Councilman Joseph Konecki      | " "        |
| Councilman Joseph Trojanosky   | " "        |
| Councilman Stanley R. Bystrak  | " "        |
| Supervisor Benedict T. Holtz   | " "        |

AYES: -5-

NOES: -0-

ABSENT: -2-

Hereto attached is a copy of the Notice published in the Cheektowaga Sun and the Depew Herald-Cheektowaga News:

STATE OF NEW YORK  
COUNTY OF ERIE

EDWIN K. GROSS

being duly sworn, deposes and says that he is the

PUBLISHER of

**The Cheektowaga Sun**

a public newspaper published in the Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the ~~last~~ insertion being on the 25th day of May, 1956, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

Edwin K. Gross

Sworn to before me this 4th day of June, 1956

Walter T. Henry  
Notary Public in and for Erie County

ss.:

EDWIN K. GROSS

being duly sworn, deposes and says that he is the

PUBLISHER

of

## The Cheektowaga Sun

a public newspaper published in the Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the ~~last~~ insertion being on the 25th day of May, 1956, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

Edwin K. Gross

Sworn to before me this 4th day ofJune, 1956

Walter T. Henry

Notary Public in and for Erie County

STATE OF NEW YORK  
COUNTY OF ERIE

LEGAL NOTICES

CAPITAL NOTE RESOLUTION DATED MAY 21, 1956, AUTHORIZING THE ISSUANCE OF \$4,800.00 LIGHTING DISTRICT CAPITAL NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW.

WHEREAS, the expense of making the improvements herein-after described must be borne by local assessment upon the several lots and parcels of land within the districts in proportion to the amount of benefit which the improvements shall confer upon the same, and in the manner provided in Section 202-a of the Town Law for the assessment of the cost of maintenance in a sewer district as the same shall be annually determined and apportioned by the Town Board, and the Town Board desires to issue capital notes to finance the cost of said improvements and to annually apportion and assess upon the several lots and parcels of lands especially benefited by such improvements in proportion to the amount of benefit which the improvements shall confer upon the same, an amount sufficient to pay the principal of and interest on the capital notes issued for such improvements as the same shall become due and payable, all of which shall be done in accordance with the provisions of Subdivision 6 of Section 198 of Chapter 634 of the Laws of 1932 as amended by Chapter 325 of the Laws of 1946,

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 of the aggregate principal amount of \$4,800.00, 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 and installation of street lighting equipment pursuant to Section 198 of the Town Law of New York, along the highways as hereinafter set forth, to serve properties on both sides of said highways, to wit:

- a) McFarlin Avenue from Harlan Road to end of street.
- b) Fairhaven Drive from Union Road to Cleveland Drive.
- c) Melcourt Drive west from Cameron Road to Rudge Park Avenue.

- e) Alpine Place from Herbert Place to Pennock Place.

Section 3. It is hereby stated that:

a) The maximum cost of said purpose as estimated by the Town Board is \$4,800.00.

b) To certify the heretofore been applied to the payment of the cost of said purpose, except payment of Light Standards from General Fund to be repaid from proceeds of Capital Notes.

c) The Town Board plans to finance the cost of said purpose from funds raised by the issuance of said capital notes.

d) All of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

Section 4. For the purpose of paying the cost of such purpose, there are hereby authorized to be issued, pursuant to the Local Finance Law, \$4,800.00 capital notes of the Town of Cheektowaga, to be designated substantially Lighting District Capital Notes Series B of 1956, which shall bear a date not earlier than May 21, 1956, to be fixed by the Supervisor in the following denominations and to be numbered as follows, and mature as follows, to wit:

1. In the amount of \$2,400.00 maturing on April 1, 1957, and
2. In the amount of \$2,400.00 maturing on April 1, 1958.

Each of said notes to bear interest at a rate not exceeding 5% per annum, payable semi-annually on April 1 and October 1. Such Capital Notes to be in bearer form with the privilege of conversion to capital notes registered as to principal and interest.

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 apportioned and assessed upon the several lots and parcels of land especially benefited by the aforesaid improvements in proportion to the amount of benefit which the improvements shall confer upon the same, and in the manner provided in Section 202-a 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.

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

Councilman Felix T. Wreblewski  
Councilman Joseph Konecki  
Councilman Joseph Trojanosky  
Councilman Stanley R. Bystrak  
Benedict T. Holtz

Voting AYE

" "  
" "  
" "  
" "

NOES: -0-

ABSENT: -2-

AYES

Che

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 apportioned and assessed upon the several lots and parcels of land especially benefited by the aforesaid improvements in proportion to the amount of benefit which the improvements shall confer upon the same, and in the manner provided in Section 202-a 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 35 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five (5) years.

Section 9. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be not later than April 1, 1958.

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 20 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 said Local Finance Law, and such publication shall be in the CHEEKTOWAGA SUN and in the DEPEW HERALD AND CHEEKTOWAGA NEWS, newspapers published and having a general circulation in said Town.

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

The capital note resolution published herewith has been adopted on the 21st day of May, 1956, 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.

shd is a copy of the Notice published in the  
Herald-Cheektowaga News:

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

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 One week, the first insertion being on the 24th day of May, 1956 and the last insertion being on the 24th day of May, 1956, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this \_\_\_\_\_ day of

MAY 23 1956

19\_\_\_\_

*Kenneth T. Hanley*

Notary Public in and for Erie County

hn 11096-C8

STATE OF NEW YORK  
COUNTY OF ERIE

LEGAL NOTICE

Capital Note Resolution dated May 21, 1956, authorizing the issuance of \$4,800.00 Lighting District Capital Notes of the Town of Cheektowaga, in the County of

Erie, pursuant to the Local Finance Law.  
WHEREAS, the expense of making the improvements hereinafter described must be borne by local assessment upon the several lots and parcels of land within the districts in proportion to the amount of benefit which the improvements shall confer upon the same, and in the manner provided in Section 202-a of the Town Law for the assessment of the cost of maintenance in a sewer district as the same shall be annually determined and apportioned by the Town Board, and the Town Board desires to issue capital notes to finance the cost of said improvements and to annually apportion and assess upon the several lots and parcels of lands especially benefited by such improvements in proportion to the

amount of benefit which the improvements shall confer upon the same, an amount sufficient to pay the principal of and interest on the capital notes issued for such improvements as the same shall become due and payable, all of which shall be done in accordance with the provisions of Subdivision 6 of Section 198 of Chapter 634 of the Laws of 1932 as amended by Chapter 325 of the Laws of 1946,  
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 of the aggregate principal amount of \$4,800.00, 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 and installation of street lighting equipment pursuant to Section 198 of the Town Law of New York, along the highways as hereinafter set forth, to serve properties on both sides of said highways, to wit:  
(a) McParlin Avenue from Harlem Road to end of street.  
(b) Fairhaven Drive from Union Road to Cleveland Drive.  
(c) Melcourt Drive west from Cameron to end of street.  
(d) West Chester Drive from Harlem Road to Ridge Park Avenue.  
(e) Alpine Place from Herbert Place to Pennock Place.

Section 3. It is hereby stated that:

(a) The maximum cost of said purpose as estimated by the Town Board is \$4,800.00.  
(b) No money has heretofore been applied to the payment of the cost of said purpose, except payment of Light Standards from General Fund to be repaid from proceeds of Capital Notes.  
(c) The Town Board plans to finance the cost of said purpose from funds raised by the issuance of said capital notes.  
(d) All of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

Section 4. For the purpose of paying the cost of such purpose, there are hereby authorized to be issued, pursuant to the Local Finance Law, \$4,800.00 capital notes of the Town of Cheektowaga, to be designated substantially Lighting District Capital Notes Series B of 1956, which shall bear a date not earlier than May 21, 1956, to be fixed by the Supervisor in the following denominations and to be numbered as follows, and mature as follows, to wit:

1. In the amount of \$2,400.00 maturing on April 1, 1957, and
  2. In the amount of \$2,400.00 maturing on April 1, 1958,
- each of said notes to bear interest at a rate not exceeding 5% per annum, payable semi-annually on April 1 and October 1. Such Capital Notes to be in bearer form with the privilege of conversion to capital notes registered as to principal and interest.

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 apportioned and assessed upon the several lots and parcels of land especially benefited by the aforesaid improvements in proportion to the amount of benefit which the improvements shall confer upon the same, and in the manner provided in Section 202-a 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 35 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five (5) years.

Section 9. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be not later than April 1, 1958.

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 20 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 said Local Finance Law, and such publication shall be in the Cheektowaga Sun and in the Depew Herald and Cheektowaga News, newspapers published and having a general circulation in said Town.

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

The capital note resolution published herewith has been adopted on the 21st day of May, 1956, 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, N. Y.

my24



Item No. 37 This being the time and the place advertised for a public hearing on the petition of the Buffalo Transit Company, Inc., to operate omnibuses on and along the following streets and highways of the Town of Cheektowaga:

1. Sugg Road, between Genesee Street and the rear entrance of the Westinghouse Plant.
2. Maryvale Drive, between East Tiorunda Drive and Community Drive.
3. East Tiorunda Drive, between South Tiorunda Drive and Maryvale Drive.
4. Oehman Avenue, between Cleveland Drive and Huth Road.
5. Aero Drive, between Ellicott Creek Road and the Town Line of Town of Amherst.

The Town Clerk presented proof that the Notice of Hearing has been duly published and posted as required by law.

The Supervisor announced that the Board would hear all persons interested in the subject of the hearing, and no person appearing in opposition thereof,

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the BUFFALO TRANSIT COMPANY, INC., made application in writing, to the Town Board of the Town of Cheektowaga, New York, to operate omnibuses on and along certain streets and highways of the Town of Cheektowaga, New York, pursuant to the requirements of Section 50-A of the Public Service Law, and

WHEREAS, after due notice, a public hearing was held on said application by the Town Board on the 21st day of May, 1956, at which hearing a representative of the Buffalo Transit Company, Inc., and all other persons were given an opportunity to be heard,

NOW THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Cheektowaga, New York, hereby consents to the operation of the Buffalo Transit Company, Inc., of omnibuses for the transportation of passengers on the following streets and highways located entirely within the Town of Cheektowaga, New York:

1. Sugg Road, between Genesee Street and the rear entrance of the Westinghouse Plant.
2. Maryvale Drive between East Tiorunda Drive and Community Drive.
3. East Tiorunda Drive between South Tiorunda Drive and Maryvale Drive.
4. Oehman Avenue between Cleveland Drive and Huth Road.
5. Aero Drive between Ellicott Creek Road and the town line of the Town of Amherst.

It is the intention of the Buffalo Transit Company, Inc., to abandon its rights on Ellicott Creek Road between Aero Drive and the Town Line of the Town of Amherst, if and when, permission to operate over Aero Drive between Ellicott Creek Road and the Town Line of the Town of Amherst is Approved.

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

Supervisor Benedict T. Holtz  
Councilman Stanley R. Bystrak  
Councilman Felix T. Wroblewski  
Councilman Joseph Kernecki  
Councilman Joseph Trojanosky

Voting AYE

" "  
" "  
" "  
" "

AYES: -5-

NOES: -0-

ABSENT: -2-

Item No. 38 Councilman Wroblewski moved, seconded by Councilman Bystrak, that the various Veterans Associations be granted permission to sell poppies in the Township on Poppey Day.

Item No. 39 The complaint of Mr. A. LaRusch of No. relating to trucks spilling mud on the highway was ordered referred to Lieut. Graham of the Police Department.

Item No. 40 The complaint of Mr. L. Miller of No. relating to drainage problem on Shirley Avenue and Fourth Avenue was referred to the Supervisor and the Town Engineer.



Item No. 41 Councilman Kornecki 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 a warrant on the Supervisor for payment of same. ( Warrant No. 1195 to No. ( 1282 ) inclusive, drawn on the Supervisor. 6

Item No. 42 Councilman Wroblewski moved, seconded by Councilman Kornecki, that this meeting be adjourned in the memory and respect of Michael L. Henfling and Joseph E. Neibert, prominent resident of the Town who have passed from this life.

SEAL

Kenneth T. Hanley, Town Clerk

*Kenneth T. Hanley*

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 4th day of June, 1956, at 2:30 o'clock P.M., E.D.S.T., there were:

|                              |            |
|------------------------------|------------|
| PRESENT: Felix T. Wroblewski | Councilman |
| Henry J. Nagel               | "          |
| Joseph Kornecki              | "          |
| Joseph Trojanosky            | "          |
| Joseph A. Neibert            | "          |
| Stanley R. Bystrak           | "          |

|                           |            |
|---------------------------|------------|
| ABSENT: Benedict T. Holtz | Supervisor |
|---------------------------|------------|

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

Also present were: Town Clerk Kenneth T. Hanley; Town Attorney George B. Doyle; Assistant to the Town Attorney Thomas E. Delahunt; Town Historian Julia Reinstein; Highway Superintendent John J. Zablotny and General Foreman John Eberl.

Item No. 2 The Town Clerk advised the Board that a copy of the minutes of the previous meeting has been placed on their desk in the Council Chamber.

Item No. 3 Councilman Wroblewski moved, seconded by Councilman Trojanosky, that the Town Clerk be authorized and directed to issue building permits on applications processed by the Petitions Committee on May 26, 1956 and June 2, 1956, after same have been approved by the Building Inspector.

CARRIED: AYES: -6-  
ABSENT: -1-

Item No. 4 Councilman Trojanosky presented the following resolution and moved its adoption:

WHEREAS, an agreement has been entered into between the Troquois Gas Corporation, Robert Ledger and the Town of Cheektowaga, New York wherein an easement for street purposes was granted to the Town of Cheektowaga, New York, to construct and maintain a highway 60 feet in length on property described in the conveyance of Helen M. Lutz and one, dated December 18, 1952, and recorded in the Erie County Clerks' Office on December 19, 1952 in Liber 5242 o Deed at Page 444, be it

RESOLVED, that the Supervisor be and he is hereby authorized to execute said easement and agreement on behalf of the Town of Cheektowaga, New York.

Seconded by Councilman Neibert. CARRIED: AYES: -6-  
ABSENT: -1-

Item No. 5 Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the New York State Electric and Gas Corporation be authorized to install 2 poles with 2500 lumen lights and to install a 2500 lumen light on existing Pole No. 9 on Andrew Street, off William Street, in the Town of Cheektowaga.

Seconded by Councilman Wroblewski. CARRIED: AYES: -6-  
ABSENT: -1-

Item No. 6 Councilman Kornecki presented the following resolution and moved its adoption:

WHEREAS, the Chief of Police has recommended uniformity of dress of School Crossing Guards, and

WHEREAS, Weinberg and Bass have submitted a figure of \$17.50 each for trousers, \$13.50 each for skirts, \$3.95 each for poplin regulation police shirts and \$.90 cents each for ties, and

WHEREAS, there are 17 male and 12 female School Crossing Guards, be it

RESOLVED, that the Chief of Police be and he hereby is authorized to purchase from Weinberg and Bass 17 pair trousers, 12 skirts, 29 shirts and 17 ties, at a cost not to exceed \$600.00.

Seconded by Councilman Neibert. CARRIED: AYES: -6-  
ABSENT: -1-

Item No. 7 Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, a school for Highway Superintendents is being conducted at Cornell University, Ithaca, New York, from June 18th to June 20th, 1956, be it

RESOLVED, that John J. Zablotny, Town Superintendent of Highways be authorized to attend the session and his reasonable expenses be charged to the highway budget.

Seconded by Councilman Bystrak.

CARRIED: AYES: -6-

ABSENT: -1-

Item No. 8 Councilman Korneck presented the following resolution and moved its adoption:

RESOLVED, that Arthur Oberkircher, Civil Defense Director, be authorized to purchase three dozen ties for use by the Auxiliary Police, at a cost not to exceed the sum of \$32.40.

Seconded by Councilman Trojanosky.

CARRIED: AYES: -6-

ABSENT: -1-

Item No. 9 Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, it was necessary to purchase a large quantity of crushed stone to extend the parking lot at the Town Hall, and the same was purchased from the Federal Crushed Stone Corporation, be it

RESOLVED, that a voucher from said Federal Crushed Stone Corporation in the amount of \$1,906.78 be approved and ordered paid.

Seconded by Councilman Neibert.

CARRIED: AYES: -6-

ABSENT: -1-

Item No. 10 Councilman Neibert presented the following resolution and moved its adoption:

RESOLVED, that the Chief of Police be authorized to purchase from General Electric Company 2 Police Car Radios as per estimate received fully equipped at a cost not to exceed the sum of \$850.00.

Seconded by Councilman Nagel.

CARRIED: AYES: -6-

ABSENT: -1-

Item No. 11 Councilman Trojanosky presented the following resolution and moved its adoption:

RESOLVED, that Reynders Electric Company be authorized to erect a traffic actuated stop and go signal at the intersection of Borden Road and Como Park Blvd., in accordance with permit issued by Erie County Superintendent of Highways dated May 28, 1956.

Seconded by Councilman Neibert.

CARRIED: AYES: -6-

ABSENT: -1-

Item No. 12 Councilman Trojanosky presented the following resolution and moved its adoption:

WHEREAS, the Town of Cheektowaga requires Seweroder equipment for sewer cleaning purposes, to meet the specifications referred to in the Notice to Bidders, be it

RESOLVED, that the Town of Cheektowaga purchase Seweroder equipment for sewer cleaning purposes, to meet the specifications referred to in the Notice to Bidders, and be it further

RESOLVED, that the Town Clerk publish the annexed Notice to Bidders in the Depew Herald-Cheektowaga News and the Cheektowaga Sun, newspapers published in the Town of Cheektowaga, New York, at least five (5) days before the receipt of bids. That sealed bids be received not later than 7:30 o'clock P.M., on June 18, 1956, at which time they will be publicly opened by the Town Board at a meeting called for that purpose to be held at the Town Hall corner of Broadway and Union Road, Cheektowaga, New York.

That the Notice to Bidders shall be in substantially the following form:

**NOTICE TO BIDDERS**

The Town of Cheektowaga hereby requires sealed bids for the purchase of Seweroder equipment for sewer cleaning purposes.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file.

The copies of the specifications are made available for all prospective bidders. Sealed bids must be received not later than 7:30 o'clock p.m., on June 18th, 1956, at which time they will be publicly opened by the Town Board at a public meeting called for that purpose to be held at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York.

The Town of Cheektowaga reserves the right to reject any and all bids or to waive technical defects in bids if it be in the public interest of the Town of Cheektowaga, to do so.

This notice is published by direction of the Town Board of the Town of Cheektowaga, New York.  
Dated: June 4th, 1956.

KENNETH T. HANLEY,  
Town Clerk

Seconded by Councilman Wroblewski.

CARRIED: AYES: 6  
ABSENT: -1-

Hereto are the specifications for Seweroding Equipment:

One(1) new 1956 Sewer Rodder Machine, mounted on a four wheel trailer in accordance with the following specifications:

1. Engine: 7 H.P. Minimum  
Self Starter and Battery
2. Transmission: 3-speed forward and reversing and rotation of rods provided with safety overload clutch.
3. Rod Reel: Must be capable of holding 900 feet of flexible 5-16" steel rods.
4. Footage Indicator: Must be located at control panel for easy observation of operator.
5. Accessories: (a) Rod guide carrier mounted on machine.  
(b) One (1) 18 foot Rod Guide made of 4 ply Deluge Hose and equipped with male and female coupling.  
(c) One (1) 7 foot Rod Guide extension made of 4 ply Deluge Hose and equipped with male and female coupling.  
(d) One (1) Rod Stand with clamp to hold Rod Guide.  
(e) One (1) Rod Guide Bell for end of Rod Guide.  
(f) Two-Hundred (200) flexible rods 5-16" dia. x 39" with couplings ( to be mounted on Red Reel of Rodding Machine).

Item No. 12-Cont'd  
of June, 1956:

The Notice to Bidder was posted as follows on the 8th day

- 1- Town Hall Bulletin Board;
- 2- Forks Hose Company Bulletin Board. Broadway at Union Road;
- 3- U-Crest Fire Hall-Evergreen Street and Clover Place;
- 4- Rescue Fire Hall Bulletin Board-Pine Ridge Road;
- 5- Doyle Fire Hall Nd. 1- William and Alaska Street.

Hereto attached is a copy of the Notice to Bidders published in the Cheektowaga Sun and the Depew Herald-Cheektowaga News;

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

**NOTICE TO BIDDERS**

The Town of Cheektowaga hereby requires sealed bids for the purchase of Seweroder equipment for sewer cleaning purposes. The detailed specifications may be examined at the office of the Town Clerk, where the same are on file.

The copies of the specifications are made available for all prospective bidders. Sealed bids must be received not later than 7:30 o'clock P.M., on June 18th, 1956, at which time they will be publicly opened by the Town Board at a public meeting called for that purpose to be held at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York.

The Town of Cheektowaga reserves the right to reject any and all bids or to waive technical defects in bids if it be in the public interest of the Town of Cheektowaga, to do so.

This notice is published by direction of the Town Board of the Town of Cheektowaga, New York.

Dated: June 4, 1956.

KENNETH T. HANLEY,  
Town Clerk.

EDWIN K. GROSS

being duly sworn, deposes and says that he is the

PUBLISHER

of

## The Cheektowaga Sun

a public newspaper published in the Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 8th day of June, 1956, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*Edwin K. Gross*

Sworn to before me this 12th day of

June, 1956

*Kenneth T. Hanley*

Notary Public in and for Erie County

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

**NOTICE TO BIDDERS**

The Town of Cheektowaga hereby requires sealed bids for the purchase of Seweroder equipment for sewer cleaning purposes.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file.

The copies of the specifications are made available for all prospective bidders. Sealed bids must be received not later than 7:30 o'clock p.m., on June 18th, 1956, at which time they will be publicly opened by the Town Board at a public meeting called for that purpose to be held at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York.

The Town of Cheektowaga reserves the right to reject any and all bids or to waive technical defects in bids if it be in the public interest of the Town of Cheektowaga, to do so.

This notice is published by direction of the Town Board of the Town of Cheektowaga, New York.  
Dated: June 4th, 1956.

KENNETH T. HANLEY,  
Town Clerk

je7

**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 one week, the first insertion being on the 7th day of June, 1956, and the last insertion being on the 7th day of June, 1956, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this \_\_\_\_\_ day of

JUN 9 1956

19

*Kenneth T. Hanley*

Notary Public in and for Erie County

hn 11096-C8

Item No. 13 Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the Town Highway Department requires Eleven Hundred Twenty (1120) lineal feet of corrugated metal sewer pipe-arch, to meet the specifications referred to in the Notice to Bidders, and be it

RESOLVED, that the Town of Cheektowaga, purchase for the Town Highway Department eleven hundred twenty (1120) lineal feet of corrugated metal sewer pipe-arch, to meet specifications referred to in the Notice to Bidders, and be it further

RESOLVED, that the Town Clerk publish the annexed Notice to Bidders in the Depew Herald-Cheektowaga News and the Cheektowaga Sun newspapers having a general circulation in the Township at least five (5) days before the receipts of bids. That sealed bids be received not later than 7:30 o'clock P.M., on June 18th, 1956, at which time they will be publicly opened by the Town Board at a meeting called for that purpose, to be held at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York.

That the Notice to Bidders shall be in substantially the following form:

#### NOTICE TO BIDDERS

The Town of Cheektowaga hereby requires sealed bids for the purchase of eleven hundred twenty (1120) lineal feet of corrugated metal sewer pipe-arch, for use by the Highway Department.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file.

The copies of the specifications are made available for all prospective bidders. Sealed bids must be received not later than 7:30 o'clock p.m., on June 18th, 1956, at which time they will be publicly opened by the Town Board at a public meeting called for that purpose to be held at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York.

The Town of Cheektowaga reserves the right to reject any and all bids or to waive technical defects in bids if it be in the public interest of the Town of Cheektowaga to do so.

This notice is published by direction of the Town Board of the Town of Cheektowaga, New York.  
Dated: June 4, 1956.

KENNETH T. HANLEY,  
Town Clerk

Je 7

Seconded by Councilman Neibert.

CARRIED: AYES: -6-  
ABSENT: -1-

#### SPECIFICATIONS FOR CORRUGATED METAL SEWER PIPE-ARCH 1120 Lineal Feet Required

1120 Lineal feet of Corrugated Metal Sewer Pipe-Arch in accordance with the following specifications:

Item A-Seven Hundred (700) lineal feet of # 14 gauge corrugated metal sewer pipe-arch with a span of 36 inches, height of 22 inches (Cross-sectional Area 4.4 sq. ft.) in 20 foot sections with 14 connecting bands or collars to match. Galvanized coating of 2 ounces per sq. ft.

Item B- One Hundred Twenty (120) lineal feet of # 12 GAUGE corrugated metal sewer pipe-arch with a span of 36 inches, height of 22 inches (Cross-sectional Area 4.4 sq. ft.) in 20 foot sections with 4 connecting bands or collars to match. Galvanized coating of 2 ounces per sq. ft.

Item C- Three Hundred (300) lineal feet of #12 gauge corrugated metal sewer pipe-arch with a span of 50 inches, height of 31 inches (Cross-sectional area 8.7 sq. ft.) in 20 foot sections with 8 connecting bands or collars to match. Galvanized coating of 2 ounces per sq. ft.

The Town Board reserves the right to reject bids for any or all of the above items.

Item No. 13 Cont'd  
8th day of June, 1956:

The Notice to bidders was posted as follows on the

- 1- Town Hall Bulletin Board;
- 2- Forks Fire Hall Bulletin Board-Union Road at Broadway;
- 3- U-Crest Fire Hall-Clover Place and Evergreen Street;
- 4- Rescue Fire Hall-Pine Ridge Road;
- 5- Doyle Fire Hall No. 1 - William and Alaska Street.

Hereto attached is a copy of the Notice published in the  
Depew Herald-Cheektowaga News:

STATE OF NEW YORK  
COUNTY OF ERIE

**NOTICE TO BIDDERS**

The Town of Cheektowaga hereby requires sealed bids for the purchase of eleven hundred twenty (1120) lineal feet of corrugated metal sewer pipe-arch, for use by the Highway Department.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file.

The copies of the specifications are made available for all prospective bidders. Sealed bids must be received not later than 7:30 o'clock p.m., on June 18th, 1956, at which time they will be publicly opened by the Town Board at a public meeting called for that purpose to be held at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York.

The Town of Cheektowaga reserves the right to reject any and all bids or to waive technical defects in bids if it be in the public interest of the Town of Cheektowaga to do so.

This notice is published by direction of the Town Board of the Town of Cheektowaga, New York.  
Dated: June 4, 1956.

KENNETH T. HANLEY,  
Town Clerk

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 one week, the first insertion being on the 7th day of June, 1956, and the last insertion being on the 7th day of June, 1956, and that not more than six days intervened between any two publications thereof.

Richard G. Bennett

Sworn to before me this ..... day of

JUN 9 1956, 19

Kenneth T. Hanley

Notary Public in and for Erie County

hn 11096-C8



Item No. 13-Contd' Hereto attached is a copy of the Notice published in the Cheektowaga Sun:

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

**NOTICE TO BIDDERS**

The Town of Cheektowaga hereby requires sealed bids for the purchase of eleven hundred twenty (1120) lineal feet of corrugated metal sewer pipe-arch, for use by the Highway Department.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file.

The copies of the specifications are made available for all prospective bidders. Sealed bids must be received not later than 7:30 o'clock P.M., on June 18th, 1956, at which time they will be publicly opened by the Town Board at a public meeting called for that purpose to be held at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York.

The Town of Cheektowaga reserves the right to reject any and all bids or to waive technical defects in bids if it be in the public interest of the Town of Cheektowaga to do so.

This notice is published by direction of the Town Board of the Town of Cheektowaga, New York. Dated: June 4, 1956.

KENNETH T. HANLEY,  
Town Clerk.

EDWIN K. GROSS

being duly sworn, deposes and says that he is the

PUBLISHER

of

**The Cheektowaga Sun**

a public newspaper published in the Town of Cheektowaga,

Erie County, New York, that notice of which the

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

was inserted and published therein once a week for

one week, the first insertion being on the

8th day of June, 1956, and

the last insertion being on the \_\_\_\_\_ day of

\_\_\_\_\_, 19\_\_\_\_, and that not

more than six days intervened between any two publi-

cations thereof.

*Edwin K. Gross*

Sworn to before me this 12th day of

June, 1956

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

# 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 the said Town of Cheektowaga, New York, on the 4th day of June, 1956, at 2:30 o'clock p.m., Eastern Daylight Saving Time, there were:

## Present:

Joseph A. Neibert, Councilman  
Henry J. Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Stanley R. Bystrak, Councilman  
Joseph Kornecki, Councilman  
Joseph Trojanosky, Councilman

## Absent:

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

WHEREAS, a petition for the extension of the existing Fire District No. 4, in the Town of Cheektowaga, New York, pursuant to the Town Law presented to this Town Board on the 5th day of December, 1955.

WHEREAS, it appears to this Town Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by resident taxpayers owning taxable real property aggregating more than one-half of the assessed valuation of all the taxable real property situate in the territory proposed to be annexed to said fire district as an extension thereof, owned by resident taxpayers, and

WHEREAS, said petition is accompanied by a map, showing the boundaries of the proposed extension, and

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

## Description of Territory Proposed To Be Annexed to Fire District No. 4

All that tract or parcel of land situate in the Town of Cheektowaga, County of Erie and State of New York being more particularly described as follows:

Beginning at the point of intersection of the easterly line of the existing district with the center line of Genesee Street.

Running thence easterly along the center line of Genesee Street to the westerly line of lands now or formerly owned by W. Poston and wife.

Thence northerly along the west-

erly line of lands now or formerly owned by W. Poston and wife, 353 feet more or less to the southerly line of lands conveyed under Liber 2043 of Deeds, Page 190.

Thence easterly along the southerly line of land so conveyed 374 feet more or less to the northeasterly line of lands conveyed under Liber 1871 of Deeds, Page 188.

Thence southerly along the easterly line of lands so conveyed, 354 feet more or less to the center line of Genesee Street.

Thence easterly along the center line of Genesee Street to the westerly line of lands of the Westinghouse Electric Corp.

Thence northerly along the westerly line of lands of the Westinghouse Electric Corp. to the northerly line of said lands.

Thence southeasterly along the said northerly line of the lands of the Westinghouse Electric Corp. to the center line of Sugg Road.

Thence southerly along the center line of Sugg Road to the center line of Genesee Street.

Thence westerly along the center line of Genesee Street to the easterly line of lands of the Cornell Laboratories.

Thence southerly along the easterly line of the lands of the Cornell Laboratories to the southerly line of the West Shore Railroad.

Thence southwesterly along the southerly line of the West Shore Railroad to the easterly line of the existing district.

Thence northerly along the easterly line of the existing district to the center line of Genesee Street or the point or place of beginning.

Wherever in the above description reference is made to the north-south lines of the properties of W. Poston and wife, Westinghouse Electric Corp. and Cornell Laboratories, such description shall be construed to mean the extension of such lines to the center line of Genesee Street, in those cases where the descriptions in the property deeds do not run to said center line of Genesee Street.

and

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

NOW, THEREFORE,

IT IS ORDERED, that the Town Board of the Town of Cheektowaga, meet at the Town Hall, corner of Broadway and Union Road in the

Town of Cheektowaga, on the 18th day of June, 1956, at 7:30 o'clock p.m., Eastern Daylight Saving Time, to consider said petition and to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED, that a copy of this order, certified by the Town Clerk be published at least once in the Depew Herald and Cheektowaga News and the Cheektowaga Sun, newspapers having a general circulation in the Township, not less than ten (10) days nor more than twenty (20) days before the date set herein for the hearing aforesaid and that copies of this order be posted conspicuously on five (5) public places within the proposed extension of said fire district not less than ten (10) nor more than twenty (20) days before said day designated for the hearing.

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

Councilman Joseph A. Neibert, voting Aye

Councilman Henry J. Nagel, voting Aye

Councilman Felix T. Wroblewski, voting Aye

Councilman Stanley R. Bystrak, voting Aye

Councilman Joseph Kornecki, voting Aye

Councilman Joseph Trojanosky, voting Aye

Ayes: 6; Noes: 0; Absent: 1.

State of New York )

Erie County )ss:

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 4th day of June, 1956, 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 4th day of June, 1956.

(Seal)

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

Posted as follows on the 8th day of June, 1956:

- 1- Telephone Pole No. 195 on Genesee Street;
- 2- Telephone Pole No. 205 on Genesee Street;
- 3- Telephone Pole No. 217 on Genesee Street;
- 4- Telephone Pole No. 232 on Genesee Street;
- 5- Telephone Pole No. 332 on Genesee Street.

STATE OF NEW YORK  
COUNTY OF ERIE

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 the said Town of Cheektowaga, New York, on the 4th day of June, 1956, at 2:30 o'clock p.m., Eastern Daylight Saving Time, there were:

Present:

Joseph A. Neibert, Councilman  
Henry J. Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Stanley R. Bystrak, Councilman  
Joseph Kornecki, Councilman  
Joseph Trojanosky, Councilman

Absent:

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

WHEREAS, a petition for the extension of the existing Fire District No. 4, in the Town of Cheektowaga, New York, pursuant to the Town Law presented to this Town Board on the 5th day of December, 1955.

WHEREAS, it appears from the Town Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by resident taxpayers owning taxable real property aggregating more than one-half of the assessed valuation of all the taxable real property situate in the territory proposed to be annexed to said fire district as an extension thereof, owned by resident taxpayers, and

WHEREAS, said petition is accompanied by a map, showing the boundaries of the proposed extension, and

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

Description of Territory Proposed  
To Be Annexed to Fire District  
No. 4

All that tract or parcel of land situate in the Town of Cheektowaga, County of Erie and State of New York being more particularly described as follows:

Beginning at the point of intersection of the easterly line of the existing district with the center line of Genesee Street.

Running thence easterly along the center line of Genesee Street to the westerly line of lands now or formerly owned by W. Poston and wife.

Thence northerly along the westerly line of lands now or formerly owned by W. Poston and wife, 353 feet more or less to the southerly line of lands conveyed under Liber 2043 of Deeds, Page 190.

Thence easterly along the southerly line of land so conveyed 374 feet more or less to the northeasterly line of lands conveyed under Liber 1871 of Deeds, Page 188.

Thence southerly along the easterly line of lands so conveyed, 354 feet more or less to the center line of Genesee Street.

Thence easterly along the center line of Genesee Street to the westerly line of lands of the Westinghouse Electric Corp.

Thence northerly along the westerly line of lands of the Westinghouse Electric Corp. to the northerly line of said lands.

Thence southeasterly along the said northerly line of the lands of the Westinghouse Electric Corp. to the center line of Sugg Road.

Thence southerly along the center line of Sugg Road to the center line of Genesee Street.

Thence westerly along the center line of Genesee Street to the easterly line of lands of the Cornell Laboratories.

Thence southerly along the easterly line of the lands of the Cornell Laboratories to the southerly line of the West Shore Railroad.

Thence southeasterly along the southerly line of the West Shore Railroad to the easterly line of the existing district.

Thence northerly along the easterly line of the existing district to the center line of Genesee Street or the point or place of beginning.

Wherever in the above description reference is made to the north-south lines of the properties of W. Poston and wife, Westinghouse Electric Corp. and Cornell Laboratories, such description shall be construed to mean the extension of such lines to the center line of Genesee Street, in those cases where the descriptions in the property deeds do not run to said center line of Genesee Street.

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

NOW, THEREFORE,

IT IS ORDERED, that the Town Board of the Town of Cheektowaga, meet at the Town Hall, corner of Broadway and Union Road in the Town of Cheektowaga, on the 18th day of June, 1956, at 7:30 o'clock p.m., Eastern Daylight Saving Time, to consider said petition and to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED, that a copy of this order, certified by the Town Clerk be published at least once in the Depew Herald and Cheektowaga News and the Cheektowaga Sun, newspapers having a general circulation in the Township, not less than ten (10) days nor more than twenty (20) days before the date set herein for the hearing aforesaid and that copies of this order be posted conspicuously on five (5) public places within the proposed extension of said fire district not less than ten (10) nor more than twenty (20) days before said day designated for the hearing.

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

Councilman Joseph A. Neibert, voting Aye

Councilman Henry J. Nagel, voting Aye

Councilman Felix T. Wroblewski, voting Aye

Councilman Stanley R. Bystrak, voting Aye

Councilman Joseph Kornecki, voting Aye

Councilman Joseph Trojanosky, voting Aye

Ayes: 6; Noes: 0; Absent: 1.

State of New York )  
Erie County )ss:

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 4th day of June, 1956, and that the same is a correct and true trans-

script 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 4th day of June, 1956.

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

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:



EDWIN K. GROSS

being duly sworn, deposes and says that he is the

PUBLISHER of

## The Cheektowaga Sun

a public newspaper published in the Town of Cheektowaga,  
Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
one week, the first insertion being on the  
8th day of June, 1956, and  
the last insertion being on the \_\_\_\_\_ day of  
\_\_\_\_\_, 19\_\_\_\_, and that not  
more than six days intervened between any two publi-  
cations thereof.

*Edwin K. Gross*

Sworn to before me this 12th day of

June, 1956

*Henry T. Hanley*

Notary Public in and for Erie County

STATE OF NEW YORK  
COUNTY OF ERIE

PUBLIC HEARING

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, in the said Town of Cheektowaga, New York, on the 8th day of June, 1956, at 2:30 o'clock P.M., Eastern Daylight Saving Time, there were:

PRESENT: Joseph A. Neibert, Councilman, Henry J. Nagel, Councilman, Felix T. Wroblewski, Councilman, Stanley R. Bystrak, Councilman, Joseph Kornecki, Councilman; Josepa Trojansky, Councilman; ABSENT: Benedict T. Holtz, Supervisor.

Councilman Kornecki presented the following resolution and moved its adoption:

WHEREAS, a petition for the extension of the existing Fire District No. 4 in the Town of Cheektowaga, New York, pursuant to the Town Law presented to this Town Board on the 8th day of December, 1955.

WHEREAS, it appears to this Town Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by resident taxpayers owning taxable real property aggregating more than one-half of the assessed valuation of all the taxable property situate in the territory proposed to be annexed to said fire district as an extension thereof, owned by resident taxpayers, and

WHEREAS, said petition is accompanied by a map, showing the boundaries of the proposed extension, and

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

DESCRIPTION OF TERRITORY PROPOSED TO BE ANNEXED TO FIRE DISTRICT NO. 4

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

BEGINNING at the point of intersection of the easterly line of the existing district with the center line of Genesee Street.

Running thence easterly along the center line of Genesee Street to the westerly line of lands now or formerly owned by W. Poston and wife.

Thence northerly along the westerly line of lands now or formerly owned by W. Poston and wife, 353 feet more or less to the southerly line of lands conveyed under Liber 2643 of Deeds, Page 190.

Thence easterly along the southerly line of land so conveyed 374 feet more or less to the northeasterly line of lands conveyed under Liber 1871 of Deeds, Page 158.

Thence southerly along the easterly line of lands so conveyed, 354 feet more or less to the center line of Genesee Street.

Thence easterly along the center line of Genesee Street to the westerly line of lands of the Westinghouse Electric Corp.

Thence northerly along the westerly line of lands of the Westinghouse Electric Corp. to the northerly line of said lands.

Thence southeasterly along the said northerly line of the lands of the Westinghouse Electric Corp. to the center line of Sugg Road.

Thence southerly along the center line of Sugg Road to the center line of Genesee Street.

Thence westerly along the center line of Genesee Street to the easterly line of lands of the Cornell Laboratories.

Thence southerly along the easterly line of the lands of the Cornell Laboratories to the southerly line of the West Shore Railroad.

Thence southwesterly along the southerly line of the West Shore Railroad to the easterly line of the existing district.

Thence northerly along the easterly line of the existing district to the center line of Genesee Street or the point or place of beginning.

Wherever in the above description reference is made to the north-south lines of the properties of W. Poston and wife, Westinghouse Electric Corp. and Cornell Laboratories, such description shall be construed to mean the extension of such lines to the center line of Genesee Street, in those cases where the descriptions in the property deeds do not run to said center line of Genesee Street.

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

NOW THEREFORE,

IT IS ORDERED, that the Town Board of the Town of Cheektowaga, meet at the Town Hall, corner of Broadway and Union Road in the Town of Cheektowaga, on the 18th day of June, 1956, at 7:30 o'clock P. M., Eastern Daylight Saving Time, to consider said petition and to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED, that a copy of this order, certified by the Town Clerk be published at least once in the Depew Herald and Cheektowaga News and the Cheektowaga Sun, newspapers having a general circulation in the Township, not less than ten (10) days nor more than twenty (20) days before the date set herein for the hearing aforesaid and that copies of this order be posted conspicuously on five (5) public places within the proposed extension of said fire district not less than ten (10) nor more than twenty (20) days before said day designated for the hearing.

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

Councilman Joseph A. Neibert, Yeas 4; Councilman Henry J.

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

NOW, THEREFORE,

IT IS ORDERED, that the  
Town Board of the Town of  
Cheektowaga, meet at the Town  
Hall, corner of Broadway and  
Union Road in the Town of  
Cheektowaga, on the 18th day of  
June, 1956, at 7:30 o'clock P. M.  
Eastern Daylight Saving Time, to  
consider said petition and to hear  
all persons interested in the sub-  
ject thereof concerning the  
same, and

IT IS FURTHER ORDERED,  
that a copy of this order, certified  
by the Town Clerk be published  
at least once in the Depew Herald  
and Cheektowaga News and the  
Cheektowaga Sun, newspapers  
having a general circulation in  
the Township, not less than ten  
(10) days nor more than twenty  
(20) days before the date set  
herein for the hearing aforesaid  
and that copies of this order be  
posted conspicuously on five (5)  
public places within the proposed  
extension of said fire district not  
less than ten (10) nor more than  
twenty (20) days before said day  
designated for the hearing.

Seconded by Councilman Tro-  
janosky and duly put to a vote,  
which resulted as follows:

Councilman Joseph A. Nelbert,  
Voting Aye; Councilman Henry J.  
Nagel, Voting Aye; Councilman  
Felix T. Wroblewski, Voting Aye;  
Councilman Stanley R. Bystrak,  
Voting Aye; Councilman Joseph  
Kornecki, Voting Aye; Council-  
man Joseph Trojanosky, Voting  
Aye.

AYES: 6; NOES: 0 ABSENT 1.

State of New York

Erie County

Office of The Clerk of The  
Town of Cheektowaga

This [redacted] I, KEN-  
NETH T. HANLEY, of the  
Town of Cheektowaga, 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 4 day  
of June 1956, 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 4 day  
of June 1956.

(SEAL)

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

Item No. 15 This being the time and the place advertised for the receiving of sealed proposals for the furnishing of all materials and equipment together with all labor for the construction of certain improvements to the Sanitary Sewer System, to consist of the installation of sanitary sewers and appurtenances in beach Road, Sanitary Sewer District No. 5.

The Town Clerk presented proof that the Notice to Bidders has been duly published as required by law.

Hereto are a list of the bids received:

25

OPENING OF BIDS: JUNE 4, 1956 2-30 PM. E.D.S.T.

| ITEM NO. | DESCRIPTION                                     | DEPTH | QUANTITY    | DEPLAN     |           | STRACO, INC. |           | TWIN VILLAGE CONG. |           | UNIT PRICE | TOTAL | UNIT PRICE | TOTAL | UNIT PRICE | TOTAL | UNIT PRICE | TOTAL |
|----------|---|-------|-------------|------------|-----------|--------------|-----------|--------------------|-----------|------------|-------|------------|-------|------------|-------|------------|-------|
|          |   |       |             | UNIT PRICE | TOTAL     | UNIT PRICE   | TOTAL     | UNIT PRICE         | TOTAL     |            |       |            |       |            |       |            |       |
| 1-A      | 24" VITRIFIED TILE PIPE                         | 12-14 | 76 LF       | 14.90      | 1,043.00  | 11.10        | 777.00    | 15.00              | 1,050.00  |            |       |            |       |            |       |            |       |
| B        | 18" VITRIFIED TILE PIPE                         | 12-14 | 185 LF      | 12.19      | 2,011.35  | 7.90         | 1,303.50  | 10.50              | 1,732.50  |            |       |            |       |            |       |            |       |
| C        | 18" VITRIFIED TILE PIPE                         | 10-12 | 181 LF      | 12.19      | 2,137.04  | 7.35         | 1,334.60  | 10.00              | 1,810.00  |            |       |            |       |            |       |            |       |
| D        | 18" VITRIFIED TILE PIPE                         | 8-10  | 223 LF      | 12.19      | 2,718.37  | 6.95         | 1,549.85  | 8.50               | 1,895.50  |            |       |            |       |            |       |            |       |
| E        | 15" VITRIFIED TILE PIPE                         | 12-14 | 742 LF      | 11.18      | 8,295.56  | 6.70         | 4,971.40  | 9.50               | 7,049.00  |            |       |            |       |            |       |            |       |
| F        | 15" VITRIFIED TILE PIPE                         | 10-12 | 534 LF      | 11.18      | 5,970.12  | 6.20         | 3,310.80  | 8.50               | 4,539.00  |            |       |            |       |            |       |            |       |
| G        | 15" VITRIFIED TILE PIPE                         | 8-10  | 58 LF       | 11.18      | 648.44    | 5.85         | 339.30    | 8.50               | 493.00    |            |       |            |       |            |       |            |       |
| H        | 12" VITRIFIED TILE PIPE                         | 14-16 | 172 LF      | 10.39      | 1,787.08  | 5.70         | 1,014.80  | 10.50              | 1,806.00  |            |       |            |       |            |       |            |       |
| I        | 12" VITRIFIED TILE PIPE                         | 12-14 | 643 LF      | 10.39      | 6,688.57  | 5.70         | 3,779.10  | 9.50               | 6,218.50  |            |       |            |       |            |       |            |       |
| J        | 12" VITRIFIED TILE PIPE                         | 10-12 | 220 LF      | 10.39      | 2,285.80  | 5.20         | 1,144.00  | 8.00               | 1,760.00  |            |       |            |       |            |       |            |       |
| K        | 12" VITRIFIED TILE PIPE                         | 8-10  | 31 LF       | 10.39      | 322.09    | 4.95         | 153.45    | 7.00               | 217.00    |            |       |            |       |            |       |            |       |
|          | TOTAL   |       |             |            | 54,107.42 |              | 31,690.80 |                    | 45,000.50 |            |       |            |       |            |       |            |       |
| 2-A      | STANDARD MANHOLES                               | 12-14 | 7 EA        | 84.00      | 588.00    | 45.00        | 315.00    | 40.00              | 280.00    |            |       |            |       |            |       |            |       |
| B        | STANDARD MANHOLES                               | 10-12 | 7 EA        | 120.00     | 840.00    | 35.00        | 245.00    | 30.00              | 210.00    |            |       |            |       |            |       |            |       |
| C        | STANDARD MANHOLES                               | 8-10  | 2 EA        | 600.00     | 1,200.00  | 30.00        | 60.00     | 22.50              | 45.00     |            |       |            |       |            |       |            |       |
|          | TOTAL   |       |             |            | 12,120.00 |              | 6,200.00  |                    | 5,350.00  |            |       |            |       |            |       |            |       |
| 3        | CLASS A CONCRETE FOR CRADLE FOR 24" PIPE        |       | 70 LF       | 1.50       | 105.00    | 3.50         | 245.00    | 2.00               | 140.00    |            |       |            |       |            |       |            |       |
| 4        | CLASS A CONCRETE FOR CRADLE FOR 18" PIPE        |       | 2000 LF     | 1.50       | 3,000.00  | 2.25         | 4,500.00  | 1.50               | 3,000.00  |            |       |            |       |            |       |            |       |
| 5        | CLASS A CONCRETE FOR CRADLE FOR 15" PIPE        |       | 1300 LF     | 1.50       | 1,950.00  | 1.75         | 2,275.00  | 1.50               | 1,950.00  |            |       |            |       |            |       |            |       |
| 6        | CLASS A CONCRETE FOR CRADLE FOR 12" PIPE        |       | 1050 LF     | 1.50       | 1,575.00  | 1.25         | 1,312.50  | 1.25               | 1,312.50  |            |       |            |       |            |       |            |       |
| 7        | RUN-OF-BACK GRAVEL SELECT BACKFILL MATERIAL     |       | 1300 CU YDS | 2.00       | 2,600.00  | 3.00         | 3,900.00  | 3.50               | 4,550.00  |            |       |            |       |            |       |            |       |
| 8        | LEAN CONCRETE BACKFILL                          |       | 3100 CU YDS | 1.50       | 4,650.00  | 12.00        | 3,720.00  | 22.00              | 6,820.00  |            |       |            |       |            |       |            |       |
| 9        | REMOVE AND REPLACE CONCRETE PAVEMENTS           |       | 100 SQ YDS  | 5.70       | 570.00    | 10.00        | 1,000.00  | 8.00               | 800.00    |            |       |            |       |            |       |            |       |
| 10       | REMOVE AND REPLACE BITUMINOUS MACADAM PAVEMENTS |       | 230 SQ YDS  | 2.00       | 460.00    | 8.00         | 1,840.00  | 4.50               | 1,035.00  |            |       |            |       |            |       |            |       |
|          | TOTALS FOR ITEMS NO. 1 TO NO. 10 INCLUSIVE      |       |             |            | 87,479.42 |              | 66,283.30 |                    | 80,938.00 |            |       |            |       |            |       |            |       |
|          | BID SECURITY                                    |       |             |            |           |              |           |                    |           |            |       |            |       |            |       |            |       |
|          |   |       |             | TRAVELERS  |           | MARYLAND     |           | TRAVELERS          |           |            |       |            |       |            |       |            |       |
|          |   |       |             | INDEMNITY  |           | CASUALTY     |           | INDEMNITY          |           |            |       |            |       |            |       |            |       |

\* IF REQUIRED TO TUNNEL TREES & POLES - ADD \$ 3000.00



123

Item No. 16 This being the time and the place advertised for the receiving of sealed bids for the purchase of One (1) Industrial Crawler Tractor equipped with hydraulic type bulldozer blade for use in the Sanitation Department.

Hereto is a list of sealed bids received:

Chas. T. Guzzetta and Sons.....\$3,800.00

Halsey Reid Equipment Inc.,..... 4,564.55

On a motion by Councilman Nagel, seconded by Councilman Neibert, the bids were ordered referred to the Town Engineer for analysis and tabulation. 11  
27

Item No. 17 This being the time and the place advertised for a public hearing for the Extension of Fire District No. 8, Town of Cheektowaga, New York. Hereto attached is a copy of said description to be extended.

ALL THAT TRACT OR PARCEL  
OF LAND situate in the Town of  
Cheektowaga, County of Erie and  
State of New York, being more  
particularly described as follows:  
Beginning at the point of inter-  
section of the easterly line of the

existing fire district with the north-  
erly line of the Village of Depew.

Running thence easterly along  
the northerly line of the Village of  
Depew to the easterly line of the  
New York Central Railroad right-  
of-way.

Thence northerly and northeast-  
erly along the easterly line of the  
New York Central Railroad right-  
of-way to the westerly line of the  
Lehigh Valley Railroad right-of-  
way.

Thence northerly along the west-  
erly line of the Lehigh Valley Rail-  
road right-of-way to the southerly  
line of the West Shore Railroad  
right-of-way.

Thence southwesterly along the  
southerly line of the West Shore  
Railroad right-of-way to the east-  
erly line of the U-Crest Fire Dis-  
trict No. 4.

Thence southeasterly along the  
easterly line of the U-Crest Fire  
District No. 4 to the northerly line  
of the Village of Depew.

Thence easterly along the north-  
erly line of the Village of Depew to  
the westerly line of the existing  
district.

Thence northerly along the west-  
erly line of the existing district to  
the northerly line of the existing  
district.

Thence easterly along the north-  
erly line of the existing district to  
the easterly line thereof.

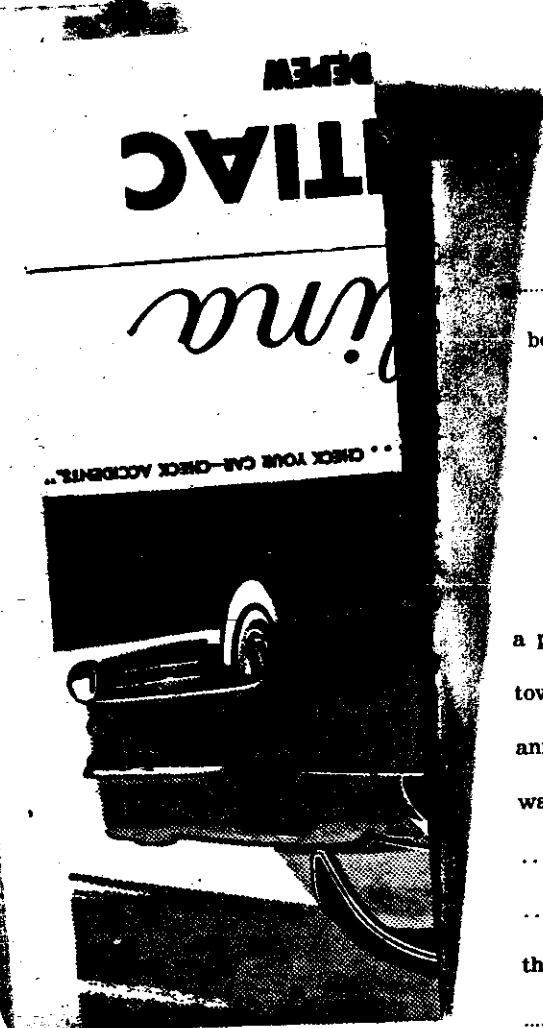
Thence southerly along the east-  
erly line of the existing district to  
the northerly line of the Village of  
Depew, which is the point of be-  
ginning, and

WHEREAS, the territory herein-  
before described situated entirely  
in said Town outside of any incor-  
porated village or city therein,

Item No. 17-Cont'd The Town Clerk presented proof that the Notice of Hearing has been duly published and posted as required by law.

The Supervisor announced that the Board would hear all persons interested in the subject of the hearing, and no person appearing in opposition thereof, Councilman Trojanosky moved, seconded by Councilman Neibert, that the matter be referred to the Town Attorney for further study and investigation.

Item No. 18



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 one week, the first insertion being on the 31st day of May, 1956 and the last insertion being on the 31st day of May, 1956 and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this ..... day of

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

*Kent N. Hardy*

Notary Public in and for Erie County

hn 11096-C8

Item No. 17-Cont'd The Town Clerk presented proof that the Notice of Hearing has been duly published and posted as required by law.

The Supervisor announced that the Board would hear all persons interested in the subject of the hearing, and no person appearing in opposition thereof, Councilman Trojanosky moved, seconded by Councilman Neibert, that the matter be referred to the Town Attorney for further study and investigation.

Item No. 18

STATE OF NEW YORK  
COUNTY OF ERIE

**ELECTION NOTICE  
PRIMARY DAY NOTICE**

**POLLING PLACES — TOWN OF CHEEKTOWAGA**

We, the undersigned, composing the Board of Town Officers of the Town of Cheektowaga, do hereby give notice that we have designated the following Polling Places for the Spring Primary to be held on the 6th day of June next.

Election  
District

1. at Lesson Rd. School, Lesson Rd., near Union Rd.
2. at Bellevue Fire House, Come Park Blvd., near Bennett Rd.
3. at Cayuga Fire Hall, River Dr., Depew
4. at Town Hall, Broadway and Union Rd.
5. at U-Crest Fire House, Clover Pl. and Evergreen St.
6. at Chapel School Basement, Union Rd., near Genesee St.
7. at Election Booth, Transit Rd. and Geo. Urban Blvd., Depew
8. at Maryvale High School, Maryvale Dr. and Union Rd.
9. at Maryvale Elementary School, Maryvale Dr. near Beach Rd.
10. at Maryvale Elementary School, Maryvale Dr. near Beach Rd.
11. at North Hill Elementary School,  
Union Rd. near Farmingdale Rd.
12. at Election Booth, Cleveland Dr. at Union Rd.
13. at Election Booth, Cleveland Dr. at the Power Line
14. at Cleveland Hill Fire House, Cleveland Dr. at Merrymont Rd.
15. at Election Booth, Century Rd. and Kensington Ave.
16. at Election Booth, West Cleveland Dr. and  
Century Rd., northwest corner
17. at Election Booth, Mark Lane, bet. Cedar Rd. and Kenville Rd.
18. at Cleveland Hill School, Mapleview Rd.
19. at Cleveland Hill School, Mapleview Rd.
20. at Election Booth, Maryvale Dr. at Woodbridge Ave.
21. at Election Booth, South Tierunda Dr. and 25th St.
22. at Maryvale Dr. Presbyterian Church  
Recreation Room, Community Dr.
23. at Maryvale Dr. Presbyterian Church  
Recreation Room, Community Dr.
24. at Pine Hill High School, Delevan Ave.
25. at Pine Hill High School, Delevan Ave.
26. at Pine Hill Fire House, Genesee St. at Normandy
27. at Pine Hill Fire House, Genesee St. at Normandy
28. at Election Booth, Genesee St. and Geo. Urban Blvd.
29. at Election Booth, Grand Blvd.,  
between Rosewood Terrace and Midland Dr.
30. at Election Booth, Genesee St. at Wheaton Rd.
31. at Election Booth, Town Parking Lot,  
Harlem Rd. at Central Blvd.
32. at Election Booth, Walden Terrace,  
near Walden Ave. and Harlem Rd.
33. at School No. 10, Alexander St.
34. at School No. 10, Alexander St.
35. at Rescue Fire Hall, Pine Ridge Rd. at Walden Ave.
36. at Rescue Fire Hall, Pine Ridge Rd. at Walden Ave.
37. at Woodrow Wilson School, Halstead Ave., Sloan
38. at Woodrow Wilson School, Halstead Ave., Sloan
39. at St. Andrew's Church Hall, Gierlach St., Sloan
40. at St. Andrew's Church Hall, Gierlach St., Sloan
41. at Sloan Fire Hall, Halstead Ave., Sloan
42. at Grover Cleveland School, Rossler Ave.
43. at Doyle Fire House No. 2, Willowlawn and Griswold St.
44. at Doyle Fire House No. 1, William and Alaska St.
45. at Roosevelt School, William and Helen St.
46. at St. Joseph's School Hall, William at Peoria St.
47. at Roosevelt School, William and Helen St.

Polls will be opened at 12 noon, and closed at 9 p. m.

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

KENNETH T. HANLEY, Town Clerk,  
Custodian of Elections

Dated: May 1954

Item No. 19 Councilman Trojanosky presented the following resolution and moved its adoption:

WHEREAS the Zoning Board of Appeals of the Town of Cheektowaga has recommended to this Town Board that the application of Helen Spulecki to rezone from Residence District to Business District Lots Nos. 27-28-29 and 30, on the north side of Dingen Street at Harlem Road, be denied,

BE IT RESOLVED that the Town Board does hereby uphold the decision of the said Zoning Board of Appeals.

Seconded by Councilman Neibert.

CARRIED: AYES: -6-

ABSENT: -1-

Item No. 20 Councilman Kornecki presented the following resolution and moved its adoption:

WHEREAS the Zoning Board of Appeals of the Town of Cheektowaga has recommended to this Board that the application of Donald F. Smith to rezone from Residence District to Business District Subdivision Lot Numbers 29-30-33 and 34 on Harlem Road, northeast corner of Cayuga Creek Road, be denied,

BE IT RESOLVED, that this Town Board does hereby uphold the decision of the said Zoning Board of Appeals.

Seconded by Councilman Trojanosky.

CARRIED: AYES: -6-

ABSENT: -1-

Item No. 21 REZONING GRANTED-CLARA WAGNER

#### LEGAL NOTICE

WHEREAS, the Zoning Board of Appeals held a public hearing for the purpose of considering the application of Clara Wagner for the rezoning of premises from Residential District to Business District of the property hereinafter described and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, the Zoning Board of Appeals having rendered its decision

granting the application of the petitioner to rezone from Residential District to Business District the property hereinafter described, be it

RESOLVED, that the decision of the Zoning Board of Appeals granting the application of the petitioner to rezone premises from Residential District to Business District be and the same is hereby confirmed and approved, 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. 94, Genesee Street, north side, near Dellwood Place.

Dated: June 4, 1956.

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

The above notice was posted on the Town Hall Bulletin Board on June 9, 1956.

Hereto attached is a copy of the Notice published in the Depew Herald-Cheektowaga News:

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

**LEGAL NOTICE**

WHEREAS, the Zoning Board of Appeals held a public hearing for the purpose of considering the application of Clara Wagner for the rezoning of premises from Residential District to Business District of the property hereinafter described and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, the Zoning Board of Appeals having rendered its decision granting the application of the petitioner to rezone from Residential District to Business District the property hereinafter described, be

RESOLVED, that the decision of the Zoning Board of Appeals granting the application of the petitioner to rezone premises from Residential District to Business District be and the same is hereby confirmed and approved, 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. 94, Genesee Street, north side, near Dellwood Place.  
Dated: June 4, 1956.

KENNETH T. HANLEY,  
Town Clerk, Town of Cheektowaga,  
Erie County, 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 Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for

one week, the first insertion being on the 7th day of June, 1956, and the last insertion being on the 7th day of June, 1956, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this ..... day of

JUN 9 1956, 19.....

*Kenneth T. Hanley*

Notary Public in and for Erie County

hn 11096-C8

**LEGAL NOTICE**

WHEREAS, the Zoning Board of Appeals held a public hearing for the purpose of considering the application of John F. and Louis E. Fronczak for the rezoning of premises from Residential District to Business District of the property hereinafter described and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, the Zoning Board of Appeals having rendered its decision granting the application of the petitioner to rezone from Residential District to Business District the property hereinafter described, be it

RESOLVED, that the decision of

the Zoning Board of Appeals granting the application of the petitioner to rezone premises from Residential District to Business District be and the same is hereby confirmed and approved, be it

RESOLVED, by this Town Board that the Ordinance adopted December 21, 1942, and as now amended entitled "Zoning Ordinance", be and the same hereby is amended by changing the Zoning Map so as to change the following described property from that of Residential District to Business District.

**DESCRIPTION**

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie of

and State of New York, being part of Lot No. 25, Township 11, Range 7 of the Holland Land Company's Survey and according to map filed in Erie County Clerk's Office under Cover No. 1686, is known as subdivision lots Nos. 206 and 207, being eighty (80) feet front and rear by one hundred twenty-five (125) feet in depth, situate on the east side of Harlem Road, commencing two hundred (200) feet north of George Urban Boulevard.

Dated: June 4, 1956.

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

The above notice was posted on the Town Hall Bulletin Board on the 9th day of June, 1956.

Hereto attached is a copy of the Notice published in the Depew Herald-Cheektowaga News:

STATE OF NEW YORK  
COUNTY OF ERIE

ss.;

**LEGAL NOTICE**

WHEREAS, the Zoning Board of Appeals held a public hearing for the purpose of considering the application of John F. and Louis E. Fronczak for the rezoning of premises from Residential District to Business District of the property hereinafter described and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, the Zoning Board of Appeals having rendered its decision granting the application of the petitioner to rezone from Residential District to Business District the property hereinafter described, be it

RESOLVED, that the decision of the Zoning Board of Appeals granting the application of the petitioner to rezone premises from Residential District to Business District be and the same is hereby confirmed and approved, be it

RESOLVED, by this Town Board that the Ordinance adopted December 21, 1942, and as now amended

property from that of Residential District to Business District.

**DESCRIPTION**

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 25, Township 11, Range 7 of the Holland Land Company's

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 one week, the first insertion being on the 7th day of June, 1956, and the last insertion being on the 7th day of June, 1956, and that not more than six days intervened between any two publications thereof.

Richard G. Bennett

Sworn to before me this day of

JUN 9 1956, 19

Kenneth T. Hanley  
Notary Public in and for Erie County

STATE OF NEW YORK  
COUNTY OF ERIE

**LEGAL NOTICE**

WHEREAS, the Zoning Board of Appeals held a public hearing for the purpose of considering the application of John F. and Louis E. Fronczak for the rezoning of premises from Residential District to Business District of the property hereinafter described and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, the Zoning Board of Appeals having rendered its decision granting the application of the petitioner to rezone from Residential District to Business District the property hereinafter described, be it

RESOLVED, that the decision of the Zoning Board of Appeals granting the application of the petitioner to rezone premises from Residential District to Business District be and the same is hereby confirmed and approved, be it

RESOLVED, by this Town Board that the Ordinance adopted December 21, 1953, and as now amended entitled "Zoning Ordinance"

the following premises property from that of Residential District to Business District.

**DESCRIPTION**

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 25, Township 11, Range 7 of the Holland Land Company's Survey and according to map filed in Erie County Clerk's Office under Cover No. 1496, is known as subdivision lots Nos. 206 and 207, being eighty (80) feet front and rear by one hundred twenty-five (125) feet in depth, situate on the east side of Harlem Road, commencing two hundred (200) feet north of George Urban Boulevard.

Dated: June 4, 1956.

KENNETH T. HANLEY,

Town Clerk,  
Town of Cheektowaga, Erie  
County, New York

**LEGAL NOTICE**

Councilman Kornecki presented the following resolution and moved its adoption:

RESOLVED, that the hereinafter decision of the Zoning Board of Appeals of the Town of Cheektowaga, Erie County, New York, be upheld by this Town Board:

**DECISION OF ZONING BOARD OF APPEALS**

In the Matter of the Application of WILLIAM DEVELOPMENT, INC. To Rezone From a Residential District to a Business District Property Located at the Southeast Corner of William Street and Wagner Street.

In its original application the petitioner sought to have rezoned from a Residential District to a

Business District Subdivision Lots 157 to 163, inclusive, as shown on a map filed in the Erie County Clerk's Office under Cover No. 868.

A public hearing was held before the Zoning Board of Appeals on the application on May 9, 1956. At the public hearing it was agreed that the application would be confined to a frontage on William Street of 112½ feet and a depth of 120 feet at the southeast corner of William and Wagner Streets.

Thereafter the Zoning Board of Appeals inspected the property, as well as the property in the remaining area. Much of the property on William Street is now used for business purposes.

The people who appeared at the public hearing stated that they had no objection to the use of the premises for an ice cream stand. The petitioner produced at the public

hearing a proposed lease of the premises only for that purpose.

We recommend the application to rezone from a Residential District to a Business District that portion of the petitioner's premises having a frontage on William Street of 112½ feet and a depth on Wagner Street of 120 feet.

As to the remaining property, the application is denied with permission to the petitioner to re-apply for rezoning of the remainder of the property after petitioner can designate what business will be located thereon.

Dated: May 17, 1956.

Leo Kurnick, Chairman  
Lawrence Januszcak  
Charles Hanson

Dated: June 4, 1956.

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

The above Notice was posted on the Town Hall Bulletin Board on the 9th day of June, 1956.  
Hereto attached is a copy of the Notice published in the Depew Herald-Cheektowaga News:

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

**LEGAL NOTICE**

Councilman Kornecki presented the following resolution and moved its adoption:

RESOLVED, that the hereinafter decision of the Zoning Board of Appeals of the Town of Cheektowaga, Erie County, New York, be upheld by this Town Board:

**DECISION OF**

designate what business will be located thereon.

Dated: May 17, 1956.

Leo Kurnick, Chairman  
Lawrence Januszcak  
Charles Hanson

Dated: June 4, 1956.

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

The Rise of Jeroboam will be considered in Sunday School Sun day. At the morning service a

TRANSMIT HEIGHTS

Assembly of God

Ham Schener.

thony Durso and Mr. and Mrs. Will Harry Dittmer, Mr. and Mrs. An-

Mrs. Peter Anderson, Mr. and Mrs. and Mrs. Donald Nugent, Mr. and

rides the guests of honor, were Mr. in East Aurora. Those present, be-

**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 one week, the first insertion being on the 7th day of June, 1956, and the last insertion being on the 7th day of June, 1956 and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this day of

JUN 9 1956

19

*Kenneth T. Hanley*

Notary Public in and for Erie County

hn 11096-C8



STATE OF NEW YORK  
COUNTY OF ERIE

**LEGAL NOTICE**

Councilman Kornecki presented the following resolution and moved its adoption:

**RESOLVED**, that the hereinafter decision of the Zoning Board of Appeals of the Town of Cheektowaga, Erie County, New York, be upheld by this Town Board:

**DECISION OF  
ZONING BOARD OF APPEALS**

In the Matter of the Application of **WILLIAM DEVELOPMENT, INC.** To Rezone From a Residential District to a Business District Property Located at the Southeast Corner of William Street and Wagner Street.

In its original application the petitioner sought to have rezoned from a Residential District to a Business District Subdivision Lots 157 to 163, inclusive, as shown on a map filed in the Erie County Clerk's Office under Cover No. 868.

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Thereafter the Zoning Board of Appeals inspected the property, as well as the property in the remaining area. Much of the property on William Street is now used for business purposes.

The people who appeared at the public hearing stated that they had no objection to the use of the premises for an ice cream stand. The petitioner produced at the public hearing a proposed lease of the premises only for that purpose.

We recommend the application to rezone from a Residential District to a Business District that portion of the petitioner's premises having a frontage on William Street of 112½ feet and a depth on Wagner Street of 120 feet.

As to the remaining property, the application is denied with permission to the petitioner to re-apply for rezoning of the remainder of the property after petitioner can designate what business will be located thereon.

Dated: May 17, 1956.

Leo Kurnick, Chairman  
Lawrence Januszczak  
Charles Hanson

Dated: June 4, 1956.

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

Item No. 24 Referred to the Town Historian and the Finance Committee the request of Town Clerk Kenneth T. Hanley, that the Town have made a "Official Key to the Town of Cheektowaga."

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Item No. 25 Referred to the Town Attorney the request of Councilman Wroblewski that the sale of bow and arrows to Children under the age of 16 years be prohibited.

Item No. 26 Councilman Kernecki 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 a warrant on the Supervisor for payment of same. ( Warrant No. 1283 to 1389, inclusive) drawn on the Supervisor.

Item No. 27 Councilman Nagel moved, seconded by Councilman Bystrak, to adjourn.

SEAL

Kenneth T. Hanley, Town Clerk.

*Kenneth T. Hanley*

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 18th day of June, 1956, at 7:30 o'clock P.M., E.D.S.T., there were:

|                            |            |
|----------------------------|------------|
| PRESENT: Benedict T. Holtz | Supervisor |
| Henry J. Nagel             | Councilman |
| Felix T. Wroblewski        | "          |
| Joseph Trojanosky          | "          |
| Joseph A. Neibert          | "          |
| ABSENT: Joseph Trojanosky  | "          |
| Stanley R. Bystrak         | "          |

Also present were: Town Clerk Kenneth T. Hanley; Town Attorney George B. Doyle; Thomas E. Delahunt Attorney at Law; Plumbing & Building Inspector Carl Trafalski and Town Engineer Albert J. Kamm.

Item No. 2 The Town Clerk advised the Town Board that a copy of the minutes of the previous meeting has been placed on their desk in the Council Chamber.

Item No. 3 Councilman Wroblewski moved, seconded by Councilman Neibert, that the Town Clerk be authorized and directed to issue building permits on applications processed by the Petitions Committee on June 9, 1956 and June 16, 1956, after same have been approved by the building Inspector. 15

CARRIED: AYES: -5- NAYES: -0-

Item No. 4 Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, emergency sewer repairs were required on Cayuga and Henry Streets and were ordered by the Town Engineer, and  
WHEREAS, the cost of the work and material amounted to \$282.76, \$416.32, \$300.03, or a total of \$999.11, be it  
RESOLVED, that the voucher of Straco, Inc. in the amount of \$282.76, \$416.32, \$300.03, or a total of \$999.11 to do the work and furnish the material be approved and ordered paid.

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

|            |                   |        |            |
|------------|-------------------|--------|------------|
| Supervisor | Benedict T. Holtz | Voting | <u>Aye</u> |
| Councilman | Joseph A. Neibert | Voting | <u>Aye</u> |
| Councilman | Felix Wroblewski  | Voting | <u>Aye</u> |
| Councilman | Henry Nagel       | Voting | <u>Aye</u> |
| Councilman | Joseph Trojanosky | Voting | <u>Aye</u> |

AYES: -5- NOES: -0- ABSENT: -2- 6  
24

Item No. 5 Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, EMERGENCY sewer repairs were required on Chapel Avenue and were ordered by the Town Engineer, and  
WHEREAS, the cost of the work and material amounted to \$358.34, be it,  
RESOLVED, that the voucher of Straco, Inc. in the amount of \$358.34 to do the work and furnish the material be approved and ordered paid.

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

|            |                   |        |            |
|------------|-------------------|--------|------------|
| Supervisor | Benedict T. Holtz | Voting | <u>Aye</u> |
| Councilman | Joseph A. Neibert | Voting | <u>Aye</u> |
| Councilman | Felix Wroblewski  | Voting | <u>Aye</u> |
| Councilman | Henry Nagel       | Voting | <u>Aye</u> |
| Councilman | Joseph Trojanosky | Voting | <u>Aye</u> |

AYES: -5- NOES: -0- ABSENT: -2- 27

Item No. 6  
its adoption:

Councilman Trojanosky presented the following resolution and moved

WHEREAS, William S. Dulski, Cheektowaga, New York,  
an employee of the Sanitation Department in the Town of Cheektowaga, New York,  
is seriously ill and unable to work, be it

RESOLVED, that the Supervisor be and he hereby is authorized to  
grant William S. Dulski two weeks vacation with regular pay.

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

|            |                   |        |            |
|------------|-------------------|--------|------------|
| Supervisor | Benedict T. Holtz | Voting | <u>Aye</u> |
| Councilman | Joseph A. Neibert | Voting | <u>Aye</u> |
| Councilman | Felix Wroblewski  | Voting | <u>Aye</u> |
| Councilman | Henry Nagel       | Voting | <u>Aye</u> |
| Councilman | Joseph Trojanosky | Voting | <u>Aye</u> |

AYES: -5-

NOES: -0-

ABSENT: -2-

Item No. 7 Councilman Neibert moved, seconded by Councilman Trojanosky,  
that the Subdivision Map of Carol Park prepared by Herthe and Sonnenberger,  
Engineers, dated March 21, 1956, be approved and ordered filed in the Assessors  
Office.

CARRIED:

AYES: -5-

ABSENT: -2-

Item No. 8  
its adoption:

Councilman Nagel presented the following resolution and moved

WHEREAS, the New York Central Railroad Company, a domestic  
corporation with its principal place of business located at 575 Broadway Albany,  
New York, has agreed to enter into a contract with the Town Board of the Town of  
Cheektowaga, as Commissioners of Sanitary Sewer District No. 3 of the Town of  
Cheektowaga, New York and to pay to the Town of Cheektowaga, New York, the yearly  
rental of \$800.00 for permission to connect the sanitary sewer facilities located  
in the hump building and retarder tower building located north of its main line,  
and approximately 750.15 feet from Harlem Road, in which buildings will be  
located toilets, wash bowls and showers for the use of its employees, not  
exceeding one hundred (100) employees during any twenty-four (24) hour period,  
and

WHEREAS, the New York Central Railroad Company has agreed to pay all  
expenses required to install the necessary sewer line from the aforementioned build-  
ings to connect with the sanitary sewer in or near Harlem Road within the boundaries  
of Sewer District No. 3, and

WHEREAS, there is attached to this resolution a copy of the  
written agreement which is hereby approved.

BE IT RESOLVED, that the Town Board of the Town of Cheektowaga,  
New York, as Commissioners of Sanitary Sewer District No. 3 execute and deliver  
to the New York Central Railroad Company the annexed agreement which is hereby  
approved and confirmed in all respects, and that the Supervisor of the Town of  
Cheektowaga, New York, and the members of the Town Board are authorized to execute  
said agreement on behalf of the Town Board as Commissioners of Sanitary Sewer District  
No. 3, of the Town of Cheektowaga, New York.

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

|                        |        |            |
|------------------------|--------|------------|
| Supervisor Holtz,      | Voting | <u>Aye</u> |
| Councilman Neibert,    | Voting | <u>Aye</u> |
| Councilman Nagel,      | Voting | <u>Aye</u> |
| Councilman Wroblewski, | Voting | <u>Aye</u> |
| Councilman Bystrak,    | ABSENT |            |
| Councilman Kornecki,   | ABSENT |            |
| Councilman Trojanosky, | Voting | <u>Aye</u> |

AYES: -5-

NOES: -0-

ABSENT: -2-

AGREEMENT.

THIS Agreement made this 18th day of June, 1956, by and between the TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, NEW YORK, AS COMMISSIONERS OF SANITARY SEWER DISTRICT NO. 3 OF THE TOWN OF CHEEKTOWAGA, NEW YORK, located in the County of Erie, New York, party of the first part, and THE NEW YORK CENTRAL RAILROAD COMPANY, a domestic corporation with its principal place of business located at 575 Broadway, Albany, New York, party of the second part,

WITNESSETH:

WHEREAS, there has been established, pursuant to law, Sanitary Sewer District No. 3 of the Town of Cheektowaga, New York, which owns, operates and maintains sanitary sewers within the boundaries thereof, and

WHEREAS, the party of the second part owns real property in the Town of Cheektowaga, New York situate outside the boundaries of said sewer district, but adjacent thereto, and

WHEREAS, the facilities of Sanitary Sewer District No. 3 are adequate and capable of serving the sanitary needs of the sewer district as well as the limited needs of the party of the second part, and the party of the first part can provide such service to the party of the second part without in any wise impairing the service rendered to property owners located within the boundaries of said Sanitary Sewer District No. 3,

NOW, THEREFORE, IT IS AGREED, as follows:

1. That the party of the second part is hereby authorized to construct a sanitary sewer on its property, west of Old Harlem Road and north of its right of way, to connect with the said sanitary sewer in or near Harlem Road for the purpose of providing sanitary sewer service to the hump building and retarder tower building, located north of the main line of the party of the second part, and approximately 750.15 feet respectively from Harlem Road, in which buildings will be located toilets, wash bowls and showers for the use of its employees, not exceeding one hundred (100) employees during any twenty-four (24) hour period.

That connections with the existing facilities of Sanitary Sewer District No. 3 shall be made under the supervision of the Town Engineer.

All sewer facilities constructed within the boundaries of Sanitary Sewer District No. 3 shall be maintained by the party of the first part, and all sewer facilities constructed outside the boundaries of said Sanitary Sewer District No. 3 shall be maintained by the party of the second part.

2. All expenses involved in extending the present sewer facilities of Sanitary Sewer District No. 3 to the property of the party of the second part, as well as all expenses incurred in constructing sanitary sewer facilities on the property of the party of the second part, shall be paid by the party of the second part, and party of the first part shall in no wise be liable for payment of any of the costs and expenses involved.

3. The party of the second part shall pay to the party of the first part the sum of Eight Hundred Dollars (\$800.00) per year for such sewer service. The first payment for such sewer service shall become due and payable on the day the party of the second part starts using said sewer. The further sum of Eight Hundred Dollars (\$800.00) shall become due and payable twelve (12) months thereafter, and said payments shall continue to be made thereafter in annual installments for the duration of this contract, which shall be five (5) years from the date on which the party of the second part first uses the sewer service.

This contract may be renewed for a further period of five (5) years upon all the terms and conditions herein contained, providing the party of the second part shall notify the party of the first part of its intention to renew said contract within sixty (60) days prior to its expiration date.

No sewer tax or charge of any nature for sewer service other than that specified herein shall be imposed or sought to be imposed upon the property of the party of the second part while this agreement or any renewal thereof shall remain in effect.

4. The party of the second part, its successors, assigns, grantees, or tenants if any, shall not permit storm water to enter the sanitary sewer system from its property.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be duly executed the day and year first above written.

TOWN BOARD OF THE TOWN OF  
CHEEKTOWAGA, NEW YORK, AS COMMISSIONERS  
OF SANITARY SEWER DISTRICT NO. 3 OF THE TOWN  
OF CHEEKTOWAGA, NEW YORK,

BY: Benedict T. Holtz  
Supervisor

Henry J. Nagel

**Felix T. Wroblewski**

**Joseph Trojanosky**

**Joseph A. Neibert**

**Councilmen**

THE NEW YORK CENTRAL RAILROAD COMPANY

BY: \_\_\_\_\_

Item No. 9      Councilman Trojanosky presented the following resolution and moved  
its adoption:

RESOLVED, that Nussbaumer, Clarke & Velzy, Inc., consulting engineers for the Town of Cheektowaga, New York, be authorized to prepare the necessary map and plan to extend Sewer District No. 5 to include the following described property:

### DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND situate in the Village of Depew,  
Town of Cheektowaga, County of Erie and State of New York being part of Lot 3,  
Township 11, Range 7, of the Holland Land Company's Survey bounded and described  
as follows:

BEGINNING at the intersection of the southerly line of George Urban Blvd., as an eighty (80) foot highway, and as presently laid out, with the east line of lands conveyed to the Diocese of Buffalo by deed recorded in the Erie County Clerk's Office in Liber 5499 of deeds at Page 576; running thence easterly along said south line of George Urban Blvd. two thousand thirty and seventy hundreths (2030.70) feet to a point in the west line of lands of Niagara Lockport and Ontario Power Company; running thence southerly along the said west line of Niagara, Locport and Ontario Power Company five hundred fifty-four and three hundredths (554.03) feet to a point in the north line of lands conveyed to the New York State Electric and Gas Corporation by deed recorded in the Erie County Clerk's Office in Liber 5297 of deeds at Page 334; thence west along the said north line of lands conveyed as aforesaid two thousand thirty and seventy-two hundredths (2030.72) feet to a point in the said east line of lands conveyed to the Diocese of Buffalo as aforesaid; running thence northerly along the said east line of lands conveyed to the Diocese of Buffalo as aforesaid five hundred forty-four and twenty-five hundredths (544.25) feet to the point or place of beginning.

CONTAINING 25.600 Acres of land

ALSO BEGINNING at the intersection of the south line of lands conveyed to the New York State Electric and Gas Corporation by deed recorded in the Erie County Clerk's Office in Liber 5297 of deeds at Page 334 with the easterly line of Dick Road, as presently laid out; running thence easterly along the said south line of lands conveyed to the New York State Electric and Gas Corporation as aforesaid three thousand seventy-eight and two hundredths (3078.02) feet to a point in the west line of lands conveyed to the said New York State Electric and Gas Corporation by said deed as aforesaid running thence southerly along said west line of lands of the New York State Electric and Gas Corporation as aforesaid one thousand six hundred three (1603) feet to its intersection with the southbank of Scajaquada Creek; running thence southwesterly, westerly and northwesterly along the said south bank of Scajaquada Creek about one thousand seventy (1070) feet to its intersection with the east line of land conveyed to Allied Sportsmen of Western New York, Inc. by deed recorded in the Erie County Clerk's Office in Liber 4695 of deeds at Page 66; thence northerly along said east line of lands of Allied Sportsmen of Western New York as aforesaid about three hundred (300) feet to the northeast corner of lands so conveyed to Allied Sportsmen of Western New York, Inc.; thence west along the north line of lands conveyed to said Allied Sportsmen of Western New York, Inc. by said deed as aforesaid one thousand four hundred thirty-two and seventy-eight hundredths (1432.78) feet to the intersection of the said north line with the easterly line of Dick Road, as presently laid out; running thence northerly along the said easterly line of Dick Road one thousand six hundred nineteen and eight hundredths (1619.08) feet to the point or place of beginning.

CONTAINING 94.5 Acres of land

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

|                        |                   |
|------------------------|-------------------|
| Supervisor Holtz,      | Voting <u>Aye</u> |
| Councilman Neibert,    | Voting <u>AYE</u> |
| Councilman Nagel,      | Voting <u>AYE</u> |
| Councilman Wroblewski, | Voting <u>AYE</u> |
| Councilman Bystrak,    | ABSENT            |
| Councilman Kornecki,   | ABSENT            |
| Councilman Trojanosky, | Voting <u>AYE</u> |

AYES: -5-

NOES: -0-

ABSENT: -2-

#### Item 10-A

Councilman Trojanosky presented the following resolution and moved its adoption:

WHEREAS, there has been presented to this Town Board a written petition in due form together with the necessary map and plan for the extension of the existing Fire District in this Town, known as Fire District No. 8, by annexing thereto the territory situate in such Town and hereinafter described, and an order of the Town Board recited the filing of said petition and specifying the time when and place where said Town Board would meet to consider said petition and to hear all persons interested in the subject thereof concerning the same having been published and posted as required by law and the hearing having taken place at the Town Hall, corner of Broadway and Union Road, Town of Cheektowaga, New York, on the 4th day of June, 1956, at which hearing all person interested in the subject matter were given an opportunity to be heard and the Town Board having given due consideration thereon, and

WHEREAS, the said petition, as presented to the Town Board on the 2nd day of March, 1956, for the extension of the existing Fire District No. 8, of the Town of Cheektowaga, New York, is signed, approved, and acknowledged, as required by law and is otherwise sufficient, and there is attached to said petition a map and plan prepared by Nussbaumer, Clarke & Velzy, Engineers, duly licensed by the State of New York, showing the boundaries of the existing Fire District, and the general plan of the proposed extension and

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

WHEREAS, there is annexed to the petition the consent duly executed by the Fire Commissioners of Fire District No. 8;

Item No. 10-A Contd'

NOW, THEREFORE, after due deliberation, it is hereby  
RESOLVED, AND DETERMINED:

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

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

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

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

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

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

RESOLVED, that the petition for the extension of the existing  
Fire District No. 8, be and the same hereby is granted and the said existing  
Fire District No. 8, is hereby extended to embrace the following described  
territory:

DESCRIPTION OF TERRITORY PROPOSED TO BE ANNEXED TO FIRE  
DISTRICT NO. 8

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

Beginning at the point of intersection of the easterly line  
existing fire district with the northerly line of the Village of Depew.

Running thence easterly along the northerly line of the Village  
of Depew to the easterly line of the New York Central Railroad right-of-way.

Thence northerly and northeasterly along the easterly line of the  
New York Central Railroad right-of-way to the westerly line of the Lehigh Valley  
Railroad right-of-way.

Thence northerly along the westerly line of the Lehigh Valley  
Railroad right-of-way to the southerly line of the West Shore Railroad right-of-  
way.

Thence wouthwesterly along the southerly line of the West Shore  
Railroad right of way to the easterly line of the U-Crest Fire District No. 4.

Thence southeasterly along the easterly line of the U-Crest Fire  
District No. 4 to the northerly line of the Village of Depew.

Thence easterly along the northerly line of the Village of Depew  
to the westerly line of the existing district.

Thence northerly along the westerly line of the existing district  
to the northerly line of the existing district.

Thence easterly along the northerly line of the existing district  
to the easterly line thereof.

Thence southerly along the easterly line of the existing district  
to the northerly line of the Village of Depew, which is the point of beginning.

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

Supervisor Holtz,  
Councilman Neibert,  
Councilman Nagel,  
Councilman Wroblewski,  
Councilman Bystrak,  
Councilman Kornecki,  
Councilman Trojanosky,

Voting AYE  
Voting AYE  
Voting AYE  
Voting AYE  
ABSENT  
ABSENT  
Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -2-



Item No. 10-B

adoption:

Councilman Nagel presented the following resolution and moved its adoption:  
WHEREAS, Bond Anticipation Notes have been issued and sold to the Manufacturers and Traders Trust Company, which will become due on July 1, 1956 as follows:

\$2,732.00 for paving of Aurora Drive from Marsdale Road westerly to the intersection of Leroy Road.

\$9,108.00 for paving Abels Avenue from Harlem Road to Tillotson Avenue, Tillotson Avenue northerly about 135 feet.

\$6,757.00 for paving Lena and Vincent Avenues.

\$5,369.00 for paving Maplevue Road from Birkdale Road to the right of way of the Niagara Mohawk Power Company.

\$5,837.00 for paving Yorktown Street from Fairhaven Road to Farmingdale Road.

\$10,000.00 for curbing of Chesterfield Drive from Burke Drive to Treehaven Road.

\$2,300.00 for lateral sewer in Peter Street from Genesee Street to Leo Place.

\$2,200.00 for lateral sewer in Genesee Street from Midland Drive 290 Feet towards East Grand Boulevard.

\$37,000.00 for lateral sewer in Grunner Road from Harlem Road to Kennedy Road, Kennedy Road from Grunner Road to Broadway, Lemoine Avenue from Grunner Road to Broadway and Broadway from Lemoine Avenue to Kennedy Road.

WHEREAS, bonds were sold on June 8th, 1956 to the Manufacturers and Traders Trust Company, proceeds of which will be used to retire said bond anticipation notes as soon as bonds are printed and delivered, such delivery being anticipated to be made by the middle of July, 1956.

NOW THEREFORE,  
BE IT RESOLVED, that the due date of the above described bond anticipation notes be extended to August 1, 1956, or such earlier date as the proceeds of said bonds may become available for the retirement of said bond anticipation notes.

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

Supervisor Holtz,  
Councilman Neibert,  
Councilman Nagel,  
Councilman Wroblewski,  
Councilman Trojanosky,

Voting AYE  
Voting AYE  
Voting AYE  
Voting AYE  
Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -2-

**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 the said Town of Cheektowaga, New York, on the 18th day of June, 1956, at 7:30 o'clock P.M., Eastern Daylight Saving Time, there were:

**PRESENT:**

Benedict T. Holtz, Supervisor  
Joseph A. Neibert, Councilman  
Henry J. Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph Trojanosky, Councilman  
**ABSENT:**  
Stanley R. Bystrak, Councilman  
Joseph Kornecki, Councilman

Councilman Neibert presented the following resolution and moved its adoption:

**WHEREAS**, The Cheektowaga Fire Chief's Association through the Fire Commissioners of the Fire Districts located in the Town of Cheektowaga, New York, have requested the Town Board to adopt a Fire Prevention Code, and

**WHEREAS**, several hearings have been held with the Fire Commissioners relative to its provisions and the text of the proposed ordinance has been approved by the duly appointed representatives of the Fire Commissioners.

**BE IT RESOLVED**, that the Town Board meet on the 2nd day of July, 1956 at 2:30 o'clock P.M., Eastern Daylight Saving Time, at the Town Hall, corner of Union Road and Broadway, Cheektowaga, New York for the purpose of considering the advisability of adopting the following Fire Prevention Code:

Whereas the Cheektowaga Fire Chief's Association through the Board of Fire Commissioners of the Volunteer Fire Companies of the Town of Cheektowaga, Erie County, New York have requested the Cheektowaga Town Board to adopt this Fire Prevention Code for the Town of Cheektowaga, in order to reduce fire hazards in said town, and in order to safeguard the lives and property of our citizens and also to decrease the risks involved by our firemen, and the work and time involved in fighting fires, the attached Fire Prevention Code has been recommended by the Board of Fire Commissioners in the Town of Cheektowaga.

**FIRE PREVENTION CODE****ARTICLE 1****GENERAL PROVISIONS**

**Section 101. Application to New and Existing Conditions.**

The provisions of this code shall apply equally to new and existing conditions except that existing conditions not in strict compliance with the terms of this code shall be permitted to continue where the exceptions do not constitute a distinct hazard to life or adjoining property.

**Section 102. Authority to Enter Premises.**

The Board of Fire Commissioners of each established Fire Dis-

trict shall have the power to authorize the Fire Chief or their duly authorized inspectors to enter any building or premises within their jurisdiction, at all reasonable hours, for the purpose of making any inspection or investigation which, under the provisions of this code, he or they, may deem necessary to be made.

**Section 103. Inspections of Buildings and Premises.**

The Board of Fire Commissioners of each established Fire District shall have the power to inspect or cause to be inspected by the Fire Chief, or their inspectors, all buildings and premises, including the interior of private dwellings, as often as may be necessary for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire, or any violations of the provisions or intent of this code and of any other ordinances affecting fire hazards and to insure compliance in all places of assembly with all laws, regulations, and orders dealing with overcrowding, use of decorative materials, maintenance of exit ways, and maintenance of fire detecting systems, fire extinguishing systems and appliances.

**Section 104. Orders to Eliminate Fire Hazards.**

Whenever any Fire Chief or authorized inspector of the Fire Department as mentioned in Section 103, shall find any building or premises in a dangerous or hazardous condition as follows, the Chief or authorized inspector shall order such dangerous conditions to be remedied in such manner as may be specified by the Chief of the Fire Company or authorized inspector:

- Dangerous or unlawful amounts of combustible or explosive matter.
- Hazardous conditions arising from defective or improperly installed equipment for handling or using combustible or explosive matter;
- Dangerous accumulations of rubbish, waste paper, boxes, shavings or other highly flammable materials;
- Accumulations of dust or waste material in air conditioning systems or of grease in kitchen exhaust ducts;
- Obstructions to or on fire escapes, stairs, passageways, doors or windows, liable to interfere with the operations of the Fire Department or egress of occupants in case of fire;
- Any building or other structure which, for want of repairs, lack of sufficient fire escapes or other exit facilities, automatic or other fire alarm apparatus or fire extinguishing equipment, or by reason of age or dilapidated conditions, or from any other cause, creates a fire hazard.

**Section 105. Service of Orders.**

The service of such orders as mentioned in Section 104 may be made upon the owner, occupant or other person responsible for the conditions, either by delivering a copy of same personally or by de-

livering the same to any person in charge of the premises, or in case no such person is found upon the premises, by affixing a copy thereof in a conspicuous place on the door to the entrance of the said premises. Whenever it may be necessary to serve such an order upon the owner of premises such order may be served either by delivering to and leaving with the said person a copy of the said order, or, if such owner is absent from the jurisdiction of the officer making the order, by mailing such copy to the owner's last known post office address.

**Section 106. Permits.**

- Permits required by the provisions of this code shall be obtained in writing from the Chief of the Fire Department. Permits shall be for such period as the Chief of the Fire Department may specify but not exceeding one (1) year. They shall be kept on the premises designated therein and shall be subject to inspection by any officer of the fire or police departments.
- Before permits are issued, the Chief of the Fire Department shall make or cause to be made such inspections or tests as are necessary to assure that the provisions of this code are complied with.

**Section 107. Definitions.**

- "Approved" shall mean accepted by the Chief or duly authorized inspectors of the Fire Department as a result of investigation and experience, or by reason of test, listing or approval by Underwriters' Laboratories Inc. the National Bureau of Standards, the American Gas Association Laboratories or other nationally recognized testing authorities.
- "Person" shall mean and include person, persons, firm, corporation or co-partnership.
- "Town Board" shall mean the Cheektowaga Town Board.
- "Board of Appeals" shall mean and include Chiefs of the Fire Departments of the eight fire Districts in the Town of Cheektowaga, New York.
- For the purposes of this Code the Town Board will perform the duties of the fire commissioners for property that is located outside of a fire district.

**Section 108. Conformity to Nationally Recognized Standard Practice.**

The storage, handling and use of flammable or explosive substances and the use or occupancy of buildings or premises shall be in conformity with nationally recognized standard practice for the safeguarding, to a reasonable degree, of life and property from the hazards of fire or explosion. Compliance with the provisions of the Fire Prevention Code as adopted and amended and amendments thereto as recommended by the National Board of Fire Underwriters shall be deemed to be prima facie evidence of compliance

Posted on the Town Hall Bulletin Board on the 22nd day of June, 1956.

Hereto attached is a copy of the Notice published in the Depew Herald-Cheektowaga News and the Cheektowaga Sun:

with such nationally recognized standard practice for all matters not covered by this code.

#### Section 109. Enforcement.

The Code hereby adopted shall be enforced by the Board of Fire Commissioners in their established districts.

#### Section 110. Modifications.

The Board of Fire Commissioners in their established districts shall have power to modify any of the provisions of the code hereby adopted upon application in writing by the owner or lessee, or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code, provided that the spirit of the code shall be observed, public safety secured, and substantial justice done. The particulars of such modification when granted or allowed and the decision of the Board of Fire Commissioners thereon shall be entered upon the records of the department and a signed copy shall be furnished to the applicant.

#### Section 111. Appeals.

A Board of Appeals is hereby created to consist of the Fire Chiefs of the eight Fire Districts of the Town of Cheektowaga, New York.

When an appeal is taken from the decision of the Board of Fire Commissioners, the Chief of that particular fire department shall be disqualified and shall not participate in the determination of the appeal.

Any applicant may appeal from the decision of the Board of Fire Commissioners to the Board of Appeals within thirty (30) days after the Board of Fire Commissioners have disapproved an application or refused to grant a license or permit or where it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongfully interpreted. The appeal must be in writing and must be served on any member of the Board of Appeals.

Whenever a matter is appealed to the Board of Appeals, it shall set down a date for a hearing and at least ten (10) days written notice must be given to the applicant and the Board of Fire Commissioners, whose action is being appealed from.

The Board of Appeals shall render a decision within twenty (20) days after the matter has been finally submitted to it and the decision of a majority of the members of the Board of Appeals in attendance at the hearing shall be binding and conclusive upon the parties, subject to a review by the court under Article 78 of the Civil Practice Act.

This code shall take effect and be in force from and after its approval by the Town Board as required by law.

### ARTICLE 2 BOWLING ALLEYS

#### Section 201. General.

Bowling alleys shall conform to all other applicable requirements

of this code, as well as the following provisions.

#### Section 202. Alley Resurfacing Operations.

Resurfacing operations shall not be carried on while the establishment is open for business. The Chief of the Fire Department shall be notified when alleys are to be resurfaced. Proper ventilation shall be provided. Heating, ventilating, or cooling systems employing recirculation of air shall not be operated during resurfacing operations or within one hour following the application of flammable finishes. All electric motors or other equipment in the area which might be a source of ignition shall be shut down, and all smoking and use of open flames prohibited during the application of flammable finishes and for one hour thereafter.

#### Section 203. Pin Refinishing.

Pin Refinishing involving the application of flammable finishes shall not be done in a room located below grade, nor shall it have communication with any pits, wells, pockets or basements; the room wherein such pin refinishing is carried on must be equipped with an approved automatic sprinkler system unless the room is enclosed by walls and ceiling of construction having a fire-resistance rating of not less than one hour with openings therein protected by approved fire doors or fire windows, and with no opening from such room to any upper story.

Storage of flammable liquids shall not exceed a combined aggregate of 60 gallons in original metal containers, or approved safety containers not exceeding 5 gallons individual capacity. A metal waste can with self-closing cover shall be removed daily. Smoking shall be prohibited at all times in refinishing rooms.

### ARTICLE 3 FIRE PROTECTION EQUIPMENT

#### Section 201. Chief to Survey Premises and Specify Equipment to be Provided.

The Chief of the Fire Department or the duly authorized inspector of the Board of Fire Commissioners shall survey each mercantile and manufacturing establishment, school, place of assembly, hospital, place of detention, hotel and multi-family house, and shall specify suitable fire detecting devices or extinguishing appliances which shall be provided, in or near boiler rooms, kitchens of restaurants, clubs and like establishments, storage rooms involving considerable combustible material, rooms in which hazardous manufacturing processes are involved, garage sections and other places of a generally hazardous nature. Such devices or appliances may consist of automatic fire alarm systems, automatic sprinkler or water spray systems, standpipe and hose, fixed or portable fire extinguishers of a type suitable for the probable class of fire, or suitable asbestos blankets, manual or automatic covers, or carbon dioxide or other inert gas extinguishing

systems. In processes or storages, apparatus of more than one type or special systems may be required.

#### Section 302. Maintenance of Equipment.

Sprinkler systems, standpipe systems, fire alarm systems, and other fire protective or extinguishing systems or appliances which have been installed in compliance with any permit or order, or because of any law or ordinance, shall be maintained in operative condition at all times, and it shall be unlawful for any owner or occupant to reduce the effectiveness of the protection so required; except this shall not prohibit the owner or occupant from temporarily reducing or discontinuing the protection where necessary to make tests, repairs, alterations or additions. The Chief of the Fire Department shall be notified before such tests, repairs, alterations or additions are started unless the work is to be continuous until completion.

### ARTICLE 4 GARAGES

#### Section 401. General.

Garages shall conform to all other applicable requirements of this code, as well as the following provisions.

#### Section 402. Repair Work.

Welding and cutting and other processes involving direct application of flame shall not be carried on in any garage unless such garage is equipped with an approved automatic sprinkler system, or such processes are carried on in a room enclosed by walls and ceiling of construction having a fire-resistance rating of not less than one hour with openings therein protected by approved fire doors or fire windows, and with no opening from any such room to any upper story. No repairs of any kind shall be made in any garage the floor of which is more than two feet below the drive-in entrance level.

#### Section 403. Cleaning with Flammable Liquids.

No flammable liquid with a flash point below 100°F. shall be used in any garage for washing parts or removing grease or dirt, unless in a special closed machine approved for the purpose or in a separate well-ventilated room enclosed by walls having a fire resistance rating of not less than two hours with openings therein protected by approved fire doors or fire windows, with no opening from such room to any upper or lower story.

#### Section 404. Handling of Gasoline and Oils.

- The fuel tanks of motor vehicles shall be filled directly through hose from approved pumps attached to approved portable tanks or drawing from underground storage tanks. No transfer of gasoline in any garage shall be made in any open container.
- No garage floor drain shall connect to any sewer unless provided with an oil separator or trap.

Posted on the Town Hall Bulletin Board on the 22nd day of June, 1956.

Hereto attached is a copy of the Notice published in the Depew Herald-Cheektowaga News and the Cheektowaga Sun:

# ARTICLE 5 GAS PIPING AND APPLIANCES

## Section 501. Installations to Conform to Standard Safe Practice.

- a. Gas Piping and gas appliances in buildings shall be installed in accordance with standard safe practice.
- b. Installation of gas piping and appliances for domestic and commercial uses, in accordance with the standards of the National Board of Fire Underwriters for the installation of Gas Piping and Gas Appliances in Buildings, shall be deemed prima facie evidence of installation in accordance with standard safe practice.

## Section 502. Pressure Regulation.

- a. Where the pressure of gas supplied to domestic, commercial or other low pressure gas piping systems in buildings is in excess of one pound per square inch, an approved gas pressure regulator of sufficient size shall be installed in the service pipe of each such system to prevent pressure in excess of one pound per square inch from being introduced into such building piping.
- b. If located inside a building the above required regulator shall be equipped with a vent pipe leading to the outer air. Means shall be employed to prevent water from entering this pipe and also to prevent stoppage of it by insects or foreign matter.

## Section 503. Pipe Entrance to Buildings.

Where gas piping enters a building through a wall or floor of masonry or concrete any gas pipe or other nearby pipes entering the same wall or floor shall be suitably sealed against the entrance of water or gas.

## Section 504. Outside Valves.

Approved means for shutting off the flow of gas from outside the building shall be provided on every gas service pipe 2 inches or larger in diameter or which supplies gas at a pressure in excess of one pound per square inch. Outside gas shut-off cocks or valves shall be located so as to be readily accessible and, when underground shall be placed in suitable valve boxes, manholes or vaults, the covers of which shall be clearly marked "Gas".

# ARTICLE 6 LIQUEFIED PETROLEUM GASES

## Section 601. Definition.

"Liquefied petroleum gas" shall mean any material which is composed predominantly of any of the following hydrocarbons, or mixtures of them: propane, propylene, butane (normal butane or isobutane) and butylenes.

## Section 602. Permits and Reports of Installations.

- a. A permit shall be obtained from the Fire Chief of said district, or if outside of a Fire District from the Town Board, for each installation of liquefied petroleum gas em-

ploying a container or an aggregate of interconnected containers of over 2,000 gallons water capacity, and for each permanent installation irrespective of size of containers, made at buildings in which people congregate for civic, political, educational, religious, social or recreational purposes. Such buildings shall include schools, churches, hospitals, institutions, hotels, and restaurants, each having a capacity of 20 or more persons. Prior to making such an installation, an installer shall submit plans to the Chief of the Fire Department or the Town Board if outside a Fire District, and if compliance with the requirements of this code is shown by said plans, a permit shall be issued.

- b. Installers shall maintain a record of all installations for which a permit is not required by paragraph (a) above (but not including installation of gas burning appliances and replacing of portable cylinders) and have it available for inspection by the Chief of the Fire Department or the Town Board if outside a Fire District.

## Section 603. Standards for Liquefied Petroleum Gas Equipment and its Installation.

All installations of liquefied petroleum gas equipment including such equipment installed at utility gas plants, shall be in conformity with generally recognized standards for safety to persons and property. Except as otherwise provided in this article or in other laws or regulations legally in effect, conformity with the Standards of the National Board of Fire Underwriters for the Storage and Handling of Liquefied Petroleum Gases and in the case of liquefied petroleum gases at utility gas plants, conformity with the Standards of the National Board of Fire Underwriters for the Storage and Handling of Liquefied Petroleum Gases at Utility Gas Plants shall be prima facie evidence of conformity with generally recognized standards for safety to persons and property.

# ARTICLE 7 GENERAL PRECAUTIONS AGAINST FIRE

## Section 701. Bonfires and Outdoor Rubbish Fires.

- a. **PERMIT REQUIRED.** No person shall kindle or maintain any bonfire or rubbish fire or authorize any such fire to be kindled or maintained on or in any public street, alley, road, or other public ground without a permit or other proper authorization.
- b. **LOCATION RESTRICTED.** No person shall kindle or maintain any bonfire or rubbish fire or authorize any such fire to be kindled or maintained on any private land unless (1) the location is not less than 50 feet from any structure and adequate provision is made to prevent

fire from spreading to within 50 feet of any structure, or (2) the fire is contained in an approved waste burner with closed top, located safely not less than 15 feet from any structure. An adult person must be in attendance at the fire until the same is extinguished.

## c. **CHIEF MAY PROHIBIT.**

The Chief of the Fire Department may prohibit any or all bonfires and outdoor rubbish fires when atmospheric conditions or local circumstances make such fires hazardous.

- d. The burning of buildings, barns, or hazardous structures is prohibited unless a permit is obtained from the Chief of the Fire Department or the Town Board if in areas outside of Fire Districts, which burning must take place under the supervision of the Fire Department, or a Town Board representative if outside of a fire district.

## Section 702. Kindling of Fire on Land of Others Restricted.

No person shall kindle a fire upon the land of another without permission of the owner thereof or his agent.

## Section 703. Hot Ashes and Other Dangerous Materials.

No person shall deposit hot ashes or cinders, or smouldering coals, or greasy or oily substances liable to spontaneous ignition, into any wooden receptacle, or place the same within ten feet of any combustible materials, except in metal or other noncombustible receptacles. Such receptacles, unless resting on a noncombustible floor or on the ground outside the building, shall be placed on noncombustible stands, and in every case must be kept at least two feet away from any combustible wall or partition.

## Section 704. Accumulations of Waste Materials.

Accumulations of waste paper, hay, grass, straw, weeds, litter or combustible or flammable waste or rubbish of any kind shall not be permitted to remain upon any roof or in any court, yard, vacant lot or open space. All weeds, grass, vines or other growth, when same endangers property, or is liable to be fired, shall be cut down and removed by the owner or occupant of the property it is on.

## Section 705. Handling Readily Combustible Materials.

No person making, using, storing or having in charge, or under his control any shavings, excelsior, rubbish, sacks, bags, litter, hay, straw or combustible waste materials shall fail or neglect at the close of each day to cause all such material which is not compactly baled and stacked in an orderly manner to be removed from the building or stored in suitable vaults or in metal or metal lined, covered, receptacles or bins. The Chief of the Fire Department shall require suitable baling presses to be installed in stores, apartment buildings, factories and similar places where accumulations of paper and waste materials are not

Posted on the Town Hall Bulletin Board on the 22nd day of June, 1956.

Hereto attached is a copy of the Notice published in the Depew Herald-Cheektowaga News and the Cheektowaga Sun:

removed at least every second day.  
Section 706. Storage of Readily Combustible Materials.

a. PERMIT REQUIRED. No person shall store in excess of 2,500 cubic feet gross volume of combustible empty packing cases, boxes, barrels or similar containers, or rubber tires, or baled cotton, rubber or cork, or other similarly combustible material.

b. STORAGE REQUIREMENTS. Storage in buildings shall be orderly, shall not be within two feet of the ceiling, and not so located as to endanger exit from the building. Storage in the open shall not be more than twenty feet in height, shall be so located, with respect to adjacent buildings, as not to constitute a hazard, and shall be compact and orderly.

Section 707. Flammable Decorative Materials in Stores and Public Buildings.

Cotton batting, straw, dry vines, leaves, trees, or other highly flammable materials shall not be used for decorative purposes in show windows or other parts of stores, schools, churches, public buildings, or other public gathering places unless flame-proofed and unless approved by the District Fire Chief; provided, however, that nothing in this section shall be held to prohibit the display of saleable goods permitted and offered for sale.

Section 708. Chimneys and Heating Appliances to be Maintained in Safe Condition.

All chimneys, smokestacks or similar devices for conveying smoke or hot gases to the outer air, and the stoves, furnaces, fire boxes or boilers to which they are connected shall be constructed and maintained in such a manner as not to create a fire hazard.

Section 709. Use of Torches or Flame-producing Devices for Removing Paint.

Any person using a torch or other flame-producing device for removing paint from any building or structure shall provide one approved fire extinguisher or water hose connected to the water supply on the premises where such burning is done. In all cases, the person doing the burning shall remain on the premises one (1) hour after the torch or flame-producing device has been used.

#### ARTICLE 8 SMOKING PROHIBITED UNDER CERTAIN CONDITIONS

Section 801. Definition.  
"Smoking" shall mean and include the carrying of lighted pipe, cigar or cigarette.

Section 802. Chief to Designate Areas Where Smoking Shall be Prohibited.

Where conditions are such as to make smoking a hazard in any areas of warehouses, stores, industrial plants, institutions, places of assembly, and in open spaces where combustible materials are stored or handled, the Chief of the Fire Department is empowered and authorized to order the owner or occupant in writing to post "No Smoking" signs in each building,

structure, room or place in which smoking shall be prohibited. The Chief of the Fire Department shall designate specific safe locations, if necessary, in any building structure or place in which smoking may be permitted.

Section 803. No Smoking Signs.  
"No Smoking" signs required in accordance with Section 802 shall read "BY ORDER OF THE CHIEF OF THE FIRE DEPARTMENT", and shall be in "red" lettering on a "white background."

Section 804. Smoking and Removal of No Smoking Signs Prohibited.

It shall be unlawful for any person to remove any legally required "No Smoking" sign or to smoke in any place, where such signs are posted.

#### ARTICLE 9 SEPARABILITY CLAUSE

If any clause, sentence, paragraph, section or part of this article as adopted, or as amended or supplemented, shall be adjudged by any court of competent jurisdiction, to be invalid or unconstitutional, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which judgment shall have been rendered.

#### ARTICLE 10 PENALTIES

a. Any person who shall violate any of the provisions of the code hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder and from which no appeal has been taken or who shall fail to comply with such an order as affirmed or modified by the Appeal Board or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and noncompliance respectively, be guilty of a misdemeanor punishable by a fine of not more than \$50.00 or by imprisonment for not more than six (6) months, or by both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense.

b. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

and be it further

RESOLVED, that at such public

hearing all persons interested in the subject matter thereof concerning the same, shall be given an opportunity to be heard, 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 Depew Herald and Cheektowaga News and the Cheektowaga Sun, newspapers having a general circulation in the said Town, 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 or cause to be posted conspicuously on a sign board maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution and order.

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

Supervisor Holtz, voting Aye  
Councilman Neibert, voting Aye  
Councilman Nagel, voting Aye  
Councilman Wroblewski, voting Aye  
Councilman Trojanosky, voting Aye  
AYES: 5; NOES: 0; ABSENT: 2.

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 18th day of June, 1956, 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 18th day of June, 1956.

KENNETH T. HANLEY,  
Clerk of the Town Board, Town of  
je19 Cheektowaga, N. Y.

Posted on the Town Hall Bulletin Board on the 22nd day of June, 1956.

Hereto attached is a copy of the Notice published in the Depew Herald-Cheektowaga News and the Cheektowaga Sun:



RESOLVED, that the Town Clerk and he is hereby ordered and directed to publish a certified copy of this resolution and order in the News and the Connecticut Post, November during a period of three weeks.

in the said Town, not less than (10) nor more than twenty (20) days prior to the date of hearing and that on or before said date, he post or cause to be posted conspicuously on a sign and maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution order.

order.  
seconded by Councilman Troja-  
ny and duly put to a vote which  
resulted as follows:  
Councilman Holtz, voting Aye  
Councilman Neibert, voting Aye  
Councilman Nagel, voting Aye  
Councilman Wroblewski, voting Aye  
Councilman Trojanosky, voting Aye  
AYES: 5; NOES: 0; ABSENT: 2.  
City of New York  
County

ice of the Clerk of the Town of Cheektown, Tenn.  
This is to certify that I, Kenneth Hanley, Clerk of the Town of Cheektown, in the said County of Cheek, have compared the foregoing copy of resolution with the original resolution now on file at his office, and which was passed by the Town Board of the Town of Cheektown in said County of Cheek, on the 18th day of June, 1956, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I  
have hereunto set my hand  
and affixed the seal of said  
Town this 18th day of  
June, 1956.  
**KENNETH T. HANLEY,**  
Clerk of the Town Board, Town of  
Cheektowaga, N. Y.

## 50 YEARS AGO

**June 1966**

**Matt Kupehenski started work on his three story, store and apartment building on Penora St.**

Flag Day, June 14th, 1906, was the 129th anniversary of our national emblem.

The tail end of a cyclone struck Depew, but no damage was inflicted beyond the breaking of a few windows.

Postmaster Cotton's salary was raised from \$1700 to \$1900.

## NOTICE

The resolution published herewith has been adopted on the 24th day of January, 1956, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Village of Sloan, in the County of Erie, New York, 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 publication of this notice, or such ob-



**SERVICEMEN'S RIGHTS.** Intense pent-up emotion — which may erupt until next session — is simmering in Congress on the matter of servicemen's rights overseas.

Under an act passed in 1961, many of our men and women in uniform overseas do NOT have Constitutional rights. The act, known as the "Status of Forces Agreement," gives foreign countries both criminal and civil jurisdiction over American soldiers, sailors and airmen who serve overseas.

Up to the end of last year, 10,340 servicemen went to trial in these foreign lands — 266 were imprisoned — under laws far different from ours. The important thing was that the privileges of our Constitution were denied them under the act.

There'll be a hot fight when certain members of Congress stand up to fight this measure in an effort to either modify or revoke it . . .

**INCOME TAX CUT?**—There is still the chance that Democrats may try to ram through an income tax cut for individuals in the dying moments of this session.

Both President Eisenhower and Secretary of Treasury Humphrey have stated publicly that the \$1.8 billion surplus of this year is not enough to warrant a tax cut.

**SUPREME COURT DECISIONS.**  
There's some tch-tching in Wash-  
ington circles about Chief Justice  
Earl Warren's philosophy of late.

Republicans, especially, claim the California is too often siding with the old New Dealers in this supreme body . . .

Meanwhile, talk is renewed that Justice Felix Frankfurter, one of

F. D. R.'s appointees, will receive . . .  
He's eligible for full pay in retirement.

**HAGERTY BOUGUENT.** Much praise is being heaped on Press Secretary James Hagerty for his open and helpful manner in handling the news releases on Khrushchev's recent illness.

An example of helpfulness: On the White House press room bulletin board, he posted Ike's memo of the previous night. One entry was: "Tossed salad, lemon dressing on the side. Will check as soon as possible to see if the President wants the dressing . . ."

**MELTON'S DESIGNATION**

Some time before Dr. Milton Eisenhower announced he would accept as president of Penn State University, those close to him hinted to this writer that he may . . .

Their reason: Loneliness. "We won't want to knock around in that big place alone," one of them said. He referred to the 18-room campus house, which he shares now with his daughter. But this Fall she leaves for Swarthmore.

The informant added: "He's going to move away -- but not necessarily to Washington ..."

Miscellaneous: East guesses political spending this year: A whopping \$100,000,000. My comparison, both parties spent around \$50,000,000 in 1948 . . .

Washington police have released a long-suppressed report of racial trouble in "mixed" schools in the District . . . Details of 34 instances of Negro assaults on white girls, and other incidents, have been made public . . .

## Special Care For Summer Milk

by CHILDREN'S HOSPITAL

Doctors at the Children's Hospital caution that special care is needed in handling milk and food during warm weather. Bacteria forms much faster in the summer months so that they should never be left long outside a refrigerator.

Doctors recommend using pasturized milk and dairy products and, if they are not available as sometimes happens in rural areas, raw milk should be boiled and stored in the refrigerator until needed. Milk

becoming too soft for use. After being used, they should be washed carefully in warm soapy water, rinsed, examined to be sure the hole is open, and then dipped into boiling water for just a minute or two. Store clean nipple in a covered sterile jar.

**Germs which grow rapidly in milk during hot weather can cause diarrhea which may be serious, although modern drugs have been successful in reducing mortality from this disease in recent years.**

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**Herald and News**

Public newspaper published at Depew, Town of Cheek-  
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annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
..... *one* ..... week, the first insertion being on the  
..... *21st* day of ..... *June* ..... 1956 and  
the last insertion being on the ..... *21st* day of  
..... *June* ..... 1956, and that not  
more than six days intervened between any two publi-  
cations thereof.

cations thereof.

Richard G. Burnett

**S**worn to before me this ..... day of

JUN 25 1956

**19.....**

**Notary Public in and for Erie County**

hr 11096-C8

## 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 the said Town of Cheektowaga, New York, on the 18th day of June, 1956, at 7:30 o'clock P.M., Eastern Daylight Saving Time, there were:

**PRESENT:** Benedict T. Holtz, Supervisor; Joseph A. Nelbert, Councilman; Henry J. Nagel, Councilman; Felix T. Wroblewski, Councilman; Joseph Trojansky, Councilman; Stanley R. Bystrak, Councilman; Joseph Kornecki, Councilman.

Councilman Nelbert presented the following resolution and moved its adoption:

**WHEREAS**, The Cheektowaga Fire Chief's Association through the Fire Commissioners of the Fire Districts located in the Town of Cheektowaga, New York, have requested the Town Board to adopt a Fire Prevention Code, and

**WHEREAS**, several hearings have been held with the Fire Commissioners relative to its provisions and the text of the proposed ordinance has been approved by the duly appointed representatives of the Fire Commissioners;

**BE IT RESOLVED**, that the Town Board meet on the 2nd day of July, 1956, at 2:30 o'clock P.M., Eastern Daylight Saving Time, at the Town Hall, corner of Union Road and Broadway, Cheektowaga, New York for the purpose of considering the advisability of adopting the following Fire Prevention Code:

## FIRE PREVENTION CODE

## ARTICLE 1

## GENERAL PROVISIONS

Section 101. Application to New and Existing Conditions.  
The provisions of this code shall apply equally to new and existing conditions except that existing conditions not in strict compliance with the terms of this code shall be permitted to continue where the exceptions do not constitute a distinct hazard to life or adjoining property.

Section 102. Authority to Enter Premises.  
The Board of Fire Commissioners of each established Fire District shall have the power to authorize the Fire Chief or their duly authorized inspectors to enter any building or premises within their jurisdiction, at all reasonable hours, for the purpose of making any inspection or investigation which under the provisions of this code they may deem necessary.

Section 103. Inspections of Buildings and Premises.  
The Board of Fire Commissioners of each established Fire District shall have the power to inspect, for cause, to be inspected by the Fire Chief, or their inspectors, all buildings and premises, including the interior of private dwellings, as often as may be necessary for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire, or any violations of the provisions or intended ordinances affecting fire hazards, and to insure compliance in all places of assembly with all laws, regulations, and orders dealing with overcrowding, use of decorative materials, maintenance of exitways, and maintenance of fire detecting systems and appliances.

Section 104. Orders to Eliminate Fire Hazards.  
Whenever any Fire Chief or authorized inspector of the Fire Department as mentioned in Section 103, shall find any building or premises in a dangerous or hazardous condition, as follows, the Chief or authorized inspector shall order such dangerous conditions to be remedied in such manner as may be specified by the Chief of the Fire Company or authorized inspector:

a. Dangerous or unlawful amounts of combustible or explosive matter.  
b. Hazardous conditions arising from defective or improperly installed equipment for handling or using combustible or explosive matter.  
c. Dangerous accumulations of rubbish, waste paper, boxes, shavings or other highly flammable materials.  
d. Accumulations of dust or waste material in air conditioning systems or of grease in kitchen exhaust ducts.  
e. Obstructions to or on fire escapes, stairs, passageways, doors or windows, liable to interfere with the operations of the Fire Department or egress of occupants in case of fire.  
f. Any building or other structure which, for want of repairs, lack of sufficient fire escapes or other exit facilities, automatic or other fire alarm apparatus, or fire extinguishing equipment, or by reason of age or dilapidated conditions, or from any other cause, creates a fire hazard.

Section 105. Service of Orders.  
The service of such orders as mentioned in Section 104 may be made upon the owner, occupant or other person responsible for the conditions, either by delivering a copy of same personally or by delivering the same to and leaving with any person in charge of the premises, or in case no such person is found upon the premises, by affixing a copy thereof in a conspicuous place on the door to the entrance of the said premises. Whenever it may be necessary to serve such an order upon the owner of premises such order may be served either by delivering to and leaving with the said person, or if such owner is absent from the jurisdiction of the officer making the order, by mailing such copy to the owner's last known post office address.

Section 106. Appeals.  
Permits required by the provisions of this code shall be obtained in writing from the Chief of the Fire Department. Permits shall be for such period as the Chief of the Fire Department may specify, but not exceeding (1) year. They shall be kept in the premises designated therein and shall be subject to inspection by any officer of the fire or police departments. Before permits are issued, the Chief of the Fire Department shall make or cause to be made such inspections or tests as are necessary to assure that the provisions of this code are complied with.

Section 107. Definitions.  
a. "Person" shall mean and include person, persons, firm, corporation or co-partnership.  
b. "Town Board" shall mean the Cheektowaga Town Board.  
c. "Board of Appeals" shall mean and include Chiefs of the Fire Departments of the eight Fire Districts of the Town of Cheektowaga, New York.  
d. For the purposes of this Code the Town Board will perform the duties of the fire commissioners for property that is located outside of a fire district.

Section 108. Conformity to Nationally Recognized Standard Practice.  
The storage, handling and use of flammable or combustible substances and the use or occupancy of buildings or premises shall be in conformity with nationally recognized standard practice for the safeguarding, to a reasonable degree, of life and property from the hazards of fire or explosion. Compliance with the provisions of the Fire Prevention Code as adopted and amended, and amendments thereto as recommended by the National Board of Fire Underwriters shall be prima facie evidence of compliance with such nationally recognized standard practice for all matters not covered by this code.

Section 109. Enforcement.  
The Code hereby adopted shall be enforced by the Board of Fire Commissioners in their established districts.

Section 110. Modifications.  
The Board of Fire Commissioners in their established districts shall have power to modify any of the provisions of this code hereby adopted upon application in writing by the owner or lessee, or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code, provided that the spirit of the code shall be observed, public safety secured, and substantial justice done. The particulars of such modification when granted or allowed, and the decisions of the Board of Fire Commissioners thereon, shall be entered upon the records of the department and a signed copy shall be furnished to the applicant.

Section 111. Appeals.  
A Board of Appeals is hereby created, to consist of the Fire Chiefs of the eight Fire Districts of the Town of Cheektowaga, New York.

When an appeal is taken from the decision of the Board of Fire Commissioners, the Chief of that particular fire department shall be disqualified and shall not participate in the determination of the appeal.

Any applicant may appeal from the decision of the Board of Fire Commissioners to the Board of Appeals within thirty (30) days after the Board of Fire Commissioners have disapproved an application or refused to grant a license or permit or where it is claimed that the provisions of the code do not apply or that the intent and meaning of the code have been misconstrued or wrongly interpreted. The appeal must be in writing and must be served on any member of the Board of Appeals.

Whenever a matter is appealed to the Board of Appeals, it shall set down a date for a hearing and at least ten (10) days written notice must be given to the applicant and the Board of Fire Commissioners, whose action is being appealed from.

The Board of Appeals shall render a decision within twenty (20) days after the matter has been finally submitted to it and the decision of a majority of the members of the Board of Appeals in attendance at the hearing shall be binding and conclusive upon the parties, subject to a review by the court under Article 78 of the Civil Practice Act.

This code shall take effect and be in force from and after its approval by the Town Board as required by law.

## ARTICLE 2

## BOWLING ALLEYS

Section 201. General.  
Bowling alleys shall conform to all other applicable requirements of this code, as well as the following provisions.

Section 202. Alley Resurfacing Operations.  
Resurfacing operations shall not be carried on while the establishment is open to business. The Chief of the Fire Department shall be notified when alleys are to be resurfaced. Proper ventilation shall be provided. Heating, ventilating, or cooling systems employing recirculation of air shall not be operated during resurfacing operations or within one hour following the application of flammable finishes. All electric motors or other equipment in the area which might be a source of ignition shall be shut down, and all smoking and use of open flames prohibited during the application of flammable finishes and for one hour thereafter.

Section 203. Pin Refinishing.  
Pin Refinishing involving the application of flammable finishes shall not be done in a room located below grade, nor shall it have communication with any pits, wells, pockets or basements; the room wherein such pin refinishing is carried on must be equipped with an approved automatic sprinkler system unless the room is enclosed by walls and ceiling of construction having a fire-resistance rating of not less than one hour with openings therein protected by approved fire doors or fire windows, and with

no opening from such room to any upper story.

Storage or flammable liquids shall not exceed a combined aggregate of 60 gallons in original metal containers, or approved safety cans, exceeding five gallons in individual capacity. An install can with self-closing cover shall be removed daily. Smoking shall be prohibited at all times in refinishing rooms.

Section 204. Maintenance of Equipment.  
Sprinkler systems, standpipe systems, fire alarm systems, and other fire protective or extinguishing systems or appliances which have been installed in compliance with any permit or order, or because of any law or ordinance, shall be maintained in operative condition at all times, and it shall be unlawful for any owner or occupant to reduce the effectiveness of the protection so required; except this shall not prohibit the owner or occupant from temporarily reducing or discontinuing such protection where necessary to make tests, repairs, alterations or additions. The Chief of the Fire Department shall be notified before such tests, repairs, alterations or additions are started unless the work is to be continuous until completion.

Section 205. Garages.  
Garages shall conform to all other applicable requirements of this code as well as the following provisions.

Section 206. Repair Work.  
Welding and cutting and other processes involving direct application of flame shall not be carried on in any garage unless such garage is equipped with an approved automatic sprinkler system, or such processes are carried on in a room enclosed by walls and ceiling of construction having a fire resistance rating of not less than two hours with openings therein protected by approved fire doors or fire windows, with no opening from such room to any upper or lower story.

Section 207. Handling of Gasoline and Oil.  
a. The fuel tanks of motor vehicles shall be filled directly through hose from approved pumps attached to approved portable tanks or drawing from underground storage tanks. No transfer of gasoline in any garage shall be made in any open container.  
b. No garage floor drain shall connect to any sewer unless provided with an oil separator or trap.

Section 208. Gas Piping and Appliances.  
Section 501. Installations to Conform to Standard Safe Practice.  
a. Gas piping and gas appliances in buildings shall be installed in accordance with standard safe practice.  
b. Installation of gas piping and appliances for domestic and commercial uses, in accordance with the standards of the National Board of Fire Underwriters for the installation of Gas Piping and Gas Appliances in Buildings, shall be deemed prima facie evidence of installation in accordance with standard safe practice.

Section 502. Pressure Regulation.  
a. Where the pressure of gas supplied to domestic, commercial or other low pressure gas piping systems in buildings is in excess of one pound per square inch, an approved gas pressure regulator of sufficient size shall be installed in the service pipe of each such system to prevent pressure in excess of one pound per square inch from being introduced into such building piping.  
b. If located inside a building the above required regulator shall be equipped with a vent pipe leading to the outer air. Means shall be employed to prevent water from entering this pipe and also to prevent stoppage of it by insects or foreign matter.

Section 503. Pipe Entrance to Buildings.  
Where gas piping enters a building through a wall or floor of masonry or concrete any gas pipe or other nearby pipes entering the same wall or floor shall be suitably sealed against the entrance of water or gas.

Section 504. Outside Valves.  
Approved means for shutting off the flow of gas from outside the building shall be provided on every gas service pipe 2 inches or larger in diameter or which supplies gas at a pressure in excess of one pound per square inch. Outside gas shut-off cocks or valves shall be located so as to be readily accessible and, when underground, shall be placed in suitable valve boxes, manholes or vaults, the covers of which shall be clearly marked "Gas".

Section 601. Definition.  
Liquefied petroleum gas shall mean any gas which is composed predominantly of any of the following hydrocarbons, or mixtures of them: propane, propylene, butane (normal butane or isobutane) and butylenes.

Section 602. Permits and Reports of Installations.  
a. A permit shall be obtained from the Fire Chief of said district or of outside a Fire District from the Town Board, for each installation of liquefied petroleum gas, employing a container or an aggregate of interconnected containers of over 2,000 gallons water capacity, and for each permanent installation irrespective of size of containers, made at buildings in which people congregate for civic, political, educational, religious, social or recreational purposes. Such buildings shall include schools, churches, hospitals, institutions, hotels, and restaurants, each having a capacity of 20 or more persons. Prior to making such an installation, an installer shall submit plans to the Chief of the Fire Department of the Town Board outside a Fire District, and if compliance with the requirements of this code is shown by said plans, a permit shall be issued.

Section 603. Standards for Liquefied Petroleum Gas Equipment and its Installation.  
All installations of liquefied petroleum gas equipment including such equipment installed at utility gas plants, shall be in conformity with generally recognized standards for safety to persons and property. Except as otherwise provided in this article or in other laws or regulations legally in effect, conformity with the Standards of the National Board of Fire Underwriters for the Storage and Handling of Liquefied Petroleum Gases and in the case of liquefied petroleum gases at utility gas plants, conformity with the Standards of the National Board of Fire Underwriters for the Storage and Handling of Liquefied Petroleum Gases at Utility Gas Plants shall be prima facie evidence of conformity with generally recognized standards for safety to persons and property.

Section 701. Bonfires and Outdoor Permits.  
a. PERMIT REQUIRED. No person shall kindle or maintain any bonfire or rubbish fire or authorize any such fire to be kindled or maintained or in any public street, alley, road or other public ground without a permit or other proper authorization.  
b. LOCATION RESTRICTED. No person shall kindle or maintain any bonfire or rubbish fire or authorize any such fire to be kindled or maintained on any private land unless (1) the location is not less than 50 feet from any structure and adequate provision is made to prevent fire from spreading to within 50 feet of any structure, or (2) the fire is contained in an approved waste burner with closed top, located safely not less than 15 feet from any structure. An adult person must be in attendance at the fire until the same is extinguished.

Section 702. Kindling of Fire on Land of Others Restricted.  
No person shall kindle a fire upon the land of another without permission of the owner thereof or his agent.

Section 703. Hot Ashes and Other Dangerous Materials.  
No person shall deposit hot ashes or cinders, or smoldering coals, or greasy or oily substances liable to spontaneous ignition, into any wooden receptacle, or place the same within ten feet of any combustible materials, except in metal or other noncombustible receptacles. Such receptacles, unless resting on a noncombustible floor or on the ground outside the building, shall be placed on noncombustible stands, and in every case must be kept at least two feet away from any combustible wall or partition.

Section 704. Accumulations of Waste Materials.  
Accumulations of waste paper, hay, grass, straw, weeds, litter or combustible or flammable waste or rubbish of any kind shall not be permitted to remain upon any roof or in any court, yard, vacant lot or open space. All weeds, grass, vines or other growth, when same endangers property, or is liable to be fired, shall be cut down and removed by the owner or occupant of the property it is on.

Section 705. Handling Readily Combustible Materials.  
No person making, using, storing or having in charge, or under his control any shavings, excelsior, rub, sacks, bags, litter, hay, straw or combustible waste materials shall fail or neglect at the close of each day to cause all such material which is not compactly baled and stacked in an orderly manner to be removed from the building or stored in suitable vaults or in metal or metal lined covered receptacles or bins. The

Chief of the Fire Department shall require suitable baling presses to be installed in stores, apartment buildings, factories and similar places where accumulations of paper and waste materials are not removed at least every second day.

Section 706. Storage of Readily Combustible Materials.  
a. PERMIT REQUIRED. No person shall store in excess of 2,500 cubic feet gross volume of combustible empty packing cases, boxes, barrels or similar containers or rubber tires, or baled cotton, rubber or cork, or other similarly combustible material.  
b. STORAGE REQUIREMENTS. Storage in buildings shall be orderly and shall not be within two feet of the ceiling, and not so located as to be a danger exit from the building. Storage in the open shall not be more than twenty feet in height, shall be so located with respect to adjacent buildings, as not to constitute a hazard, and shall be compact and orderly.

Section 707. Flammable or Volatile Liquids in Stores and Public Buildings.  
Cotton batting, straw, dry vines, leaves, trees, or other highly flammable materials shall not be used for decorative purposes in show windows or other parts of stores, schools, churches, public buildings, or other public gathering places unless flame-proofed and unless approved by the District Fire Chief; provided, however, that nothing in this section shall prohibit the display of saleable goods permitted and offered for sale.

Section 708. Chimneys and Other Appliances to be Maintained in Safe Condition.  
All chimneys, smokestacks, similar devices for conveying smoke or hot gases to the outer air, and the stoves, furnaces, fire boxes or boilers to which they are connected shall be constructed and maintained in such a manner as not to create a fire hazard.

Section 709. Use of Torches for Flame-producing Devices for Removing Paint.  
Any person using a torch or other flame-producing device for removing paint from any building or structure shall provide an approved fire extinguisher in water hose connected to the water supply on the premises where such burning is done. In all cases, the person doing the burning shall be on the premises one (1) hour after the torch or flame-producing device has been used.

Section 801. Definition.  
"Smoking" shall mean and include the carrying of lighted pipe, cigar or cigarette.

Section 802. Chief to Designate Areas Where Smoking Shall be Prohibited.  
Where conditions are such as to make smoking a hazard in areas of warehouses, stores, industrial plants, institutions, places of assembly, and in open spaces where combustible materials are stored or handled, the Chief of the Fire Department is empowered to authorize to order the owner or occupant in writing to post "No Smoking" signs in each building, structure, room or place in which smoking shall be prohibited. The Chief of the Fire Department shall designate specific safe locations, if necessary, in any building, structure, or place in which smoking may be permitted.

Section 803. No Smoking Signs.  
"No Smoking" signs shall be posted in accordance with Section 802, and shall be in "red" lettering on a "white" background.

Section 804. Smoking and Removal of No Smoking Signs Prohibited.  
It shall be unlawful for any person to remove any legally required "No Smoking" sign or to smoke in any place, where such sign has been posted.

Section 805. Separability Clause.  
If any clause, sentence, paragraph, section or part of this article as adopted, or as amended, supplemented, shall be adjudged by any court of competent jurisdiction, to be invalid or unconstitutional, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined to its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which judgment shall have been rendered.

## ARTICLE 10

## PENALTIES

a. Any person who shall violate any of the provisions of this code hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the Appeal Board, or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and noncompliance respectively, be guilty of a misdemeanor punishable by a fine of not more than \$50.00 or by imprisonment for not more than six (6) months, or by both such fine and imprisonment. The imposition of one penalty for any violation or permit it to continue, and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense.

b. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions, and be if further.

RESOLVED, that at such public hearing all persons interested in the subject matter thereof concerning the same, shall be given an opportunity to be heard, and be if 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 *Dagew Herald* and *Cheektowaga News* and the *Cheektowaga Sun* newspapers having a general circulation in the said Town of Cheektowaga, New York, not more than twenty (20) days prior to the date of the hearing and that on or before said date, he post or cause to be posted conspicuously on a sign board maintained by him at the entrance of the Town Clerk's Office a certified copy of this resolution and order.

Seconded by Councilman Trojansky and duly put to a vote which resulted as follows:  
Supervisor: Holtz, voting Aye; Councilman Nelbert, voting Aye; Councilman Nagel, voting Aye; Councilman Wroblewski, voting Aye; Councilman Trojansky, voting Aye; Councilman Kornecki, voting Aye.  
AYES: 5; NOES: 0; ABSENT: 2  
State of New York  
Erie County  
Office of the Clerk of the County of Cheektowaga:  
This is to certify that I, Kenneth T. Hanley, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga, in said County of Erie, on the 18th day of June, 1956, 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 18th day of June, 1956.  
KENNETH T. HANLEY  
Clerk of the Town Board, Town of Cheektowaga, New York

Chief of the Fire Department shall require suitable baling presses to be installed in stores, apartment buildings, factories and similar places where accumulations of paper and waste materials are not removed at least every second day.

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Clerk of the Town Board, Town of Cheektowaga, New York

Chief of the Fire Department shall require suitable baling presses to be installed in stores, apartment buildings, factories and similar places where accumulations of paper and waste materials are not removed at least every second day.

Section 706. Storage of Readily Combustible Materials.  
a. PERMIT REQUIRED. No person shall store in excess of 2,500 cubic feet gross volume of combustible empty packing cases, boxes, barrels or similar containers or rubber tires, or baled cotton, rubber or cork, or other similarly combustible material.  
b. STORAGE REQUIREMENTS. Storage in buildings shall be orderly and shall not be within two feet of the ceiling, and not so located as to be a danger exit from the building. Storage in the open shall not be more than twenty feet in height, shall be so located with respect to adjacent buildings, as not to constitute a hazard, and shall be compact and orderly.

Section 707. Flammable or Volatile Liquids in Stores and Public Buildings.  
Cotton batting, straw, dry vines, leaves, trees, or other highly flammable materials shall not be used for decorative purposes in show windows or other parts of stores, schools, churches, public buildings, or other public gathering places unless flame-proofed and unless approved by the District Fire Chief; provided, however, that nothing in this section shall prohibit the display of saleable goods permitted and offered for sale.

Section 708. Chimneys and Other Appliances to be Maintained in Safe Condition.  
All chimneys, smokestacks, similar devices for conveying smoke or hot gases to the outer air, and the stoves, furnaces, fire boxes or boilers to which they are connected shall be constructed and maintained in such a manner as not to create a fire hazard.

Section 709. Use of Torches for Flame-producing Devices for Removing Paint.  
Any person using a torch or other flame-producing device for removing paint from any building or structure shall provide an approved fire extinguisher in water hose connected to the water supply on the premises where such burning is done. In all cases, the person doing the burning shall be on the premises one (1) hour after the torch or flame-producing device has been used.

Section 801. Definition.  
"Smoking" shall mean and include the carrying of lighted pipe, cigar or cigarette.

Section 802. Chief to Designate Areas Where Smoking Shall be Prohibited.  
Where conditions are such as to make smoking a hazard in areas of warehouses, stores, industrial plants, institutions, places of assembly, and in open spaces where combustible materials are stored or handled, the Chief of the Fire Department is empowered to authorize to order the owner or occupant in writing to post "No Smoking" signs in each building, structure, room or place in which smoking shall be prohibited. The Chief of the Fire Department shall designate specific safe locations, if necessary, in any building, structure, or place in which smoking may be permitted.

Section 803. No Smoking Signs.  
"No Smoking" signs shall be posted in accordance with Section 802, and shall be in "red" lettering on a "white" background.

Section 804. Smoking and Removal of No Smoking Signs Prohibited.  
It shall be unlawful for any person to remove any legally required "No Smoking" sign or to smoke in any place, where such sign has been posted.

Section 805. Separability Clause.  
If any clause, sentence, paragraph, section or part of this article as adopted, or as amended, supplemented, shall be adjudged by any court of competent jurisdiction, to be invalid or unconstitutional, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined to its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which judgment shall have been rendered.

ARTICLE 10  
PENALTIES  
a. Any person who shall violate any of the provisions of this code hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the Appeal Board, or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and noncompliance respectively, be guilty of a misdemeanor punishable by a fine of not more than \$50.00 or by imprisonment for not more than six (6) months, or by both such fine and imprisonment. The imposition of one penalty for any violation or permit it to continue, and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense.  
b. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions, and be if further.

RESOLVED, that at such public hearing all persons interested in the subject matter thereof concerning the same, shall be given an opportunity to be heard, and be if 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 *Dagew Herald* and *Cheektowaga News* and the *Cheektowaga Sun* newspapers having a general circulation in the said Town of Cheektowaga, New York, not more than twenty (20) days prior to the date of the hearing and that on or before said date, he post or cause to be posted conspicuously on a sign board maintained by him at the entrance of the Town Clerk's Office a certified copy of this resolution and order.

Seconded by Councilman Trojansky and duly put to a vote which resulted as follows:  
Supervisor: Holtz, voting Aye; Councilman Nelbert, voting Aye; Councilman Nagel, voting Aye; Councilman Wroblewski, voting Aye; Councilman Trojansky, voting Aye; Councilman Kornecki, voting Aye.  
AYES: 5; NOES: 0; ABSENT: 2  
State of New York  
Erie County  
Office of the Clerk of the County of Cheektowaga:  
This is to certify that I, Kenneth T. Hanley, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga, in said County of Erie, on the 18th day of June, 1956, 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 18th day of June, 1956.  
KENNETH T. HANLEY  
Clerk of the Town Board, Town of Cheektowaga, New York

Chief of the Fire Department shall require suitable baling presses to be installed in stores, apartment buildings, factories and similar places where accumulations of paper and waste materials are not removed at least every second day.

Section 706. Storage of Readily Combustible Materials.  
a. PERMIT REQUIRED. No person shall store in excess of 2,500 cubic feet gross volume of combustible empty packing cases, boxes, barrels or similar containers or rubber tires, or baled cotton, rubber or cork, or other similarly combustible material.  
b. STORAGE REQUIREMENTS. Storage in buildings shall be orderly and shall not be within two feet of the ceiling, and not so located as to be a danger exit from the building. Storage in the open shall not be more than twenty feet in height, shall be so located with respect to adjacent buildings, as not to constitute a hazard, and shall be compact and orderly.

Section 707. Flammable or Volatile Liquids in Stores and Public Buildings.  
Cotton batting, straw, dry vines, leaves, trees, or other highly flammable materials shall not be used for decorative purposes in show windows or other parts of stores, schools, churches, public buildings, or other public gathering places unless flame-proofed and unless approved by the District Fire Chief; provided, however, that nothing in this section shall prohibit the display of saleable goods permitted and offered for sale.

Section 708. Chimneys and Other Appliances to be Maintained in Safe Condition.  
All chimneys, smokestacks, similar devices for conveying smoke or hot gases to the outer air, and the stoves, furnaces, fire boxes or boilers to which they are connected shall be constructed and maintained in such a manner as not to create a fire hazard.

Section 709. Use of Torches for Flame-producing Devices for Removing Paint.  
Any person using a torch or other flame-producing device for removing paint from any building or structure shall provide an approved fire extinguisher in water hose connected to the water supply on the premises where such burning is done. In all cases, the person doing the burning shall be on the premises one (1) hour after the torch or flame-producing device has been used.



State Office of Cheektowaga, in  
 Town of Cheektowaga, Erie  
 County, New York, this 18th day  
 of June, 1956, I, HANLEY, Clerk,  
 do hereby certify that the foregoing  
 copy of resolution of the Town  
 Board of Cheektowaga, Erie  
 County, New York, is a true and  
 correct copy of the original  
 resolution as the same appears  
 on file at this office, and that  
 the same was duly adopted by  
 the Board of Cheektowaga, Erie  
 County, New York, on the 18th  
 day of June, 1956, and that  
 the same is a true and correct  
 transcript of the whole thereof.  
 In Witness Whereof, I have  
 hereunto set my hand and affixed  
 the seal of said Town this 18th day  
 of June, 1956.  
 KENNETH T. HANLEY,  
 Clerk of the Town Board,  
 Town of Cheektowaga, N. Y.

**AGAIN, CHEEKTOWAGA IS SHORT OF WATER**  
 Cheektowaga was back to a water shortage of pressure drops after reports of Tuesday night. The shortage was reported by the Board of Education, which is in charge of the water supply. The Board of Education is now considering the possibility of a new water supply system. The Board of Education is also considering the possibility of a new water supply system. The Board of Education is also considering the possibility of a new water supply system.

**Stranburger to retire from Maryvale board**  
 The Maryvale School Board of Education announced that Joseph Stranburger, its president, will resign from the board. Stranburger has served as president of the board for several years. He is now a member of the board. The board is now considering the possibility of a new president. The board is now considering the possibility of a new president.

**Playspots opening for all-day use**  
 The Town of Cheektowaga, Erie County, New York, is now opening its playspots for all-day use. The playspots are now open for all-day use. The playspots are now open for all-day use. The playspots are now open for all-day use.

EDWIN K. GROSS  
 being duly sworn, deposes and says that he is the  
 PUBLISHER of

**The Cheektowaga Sun**  
 a public newspaper published in the Town of Cheektowaga,  
 Erie County, New York, that notice of which the  
 annexed printed slip taken from said newspaper, is a copy,  
 was inserted and published therein once a week for  
one week, the last insertion being on the  
21st day of June, 1956, and  
 the last insertion being on the \_\_\_\_\_ day of  
 \_\_\_\_\_, 19\_\_\_\_, and that not  
 more than six days intervened between any two publi-  
 cations thereof.  
Edwin K. Gross

Sworn to before me this 25th day of  
June, 1956  
Chas J. Schuchman  
 Notary Public in and for Erie County  
 CHAS. J. SCHUCHMAN  
 Notary Public in and for Erie County  
 New York  
 My Comm. Expires March 20, 1957

Section 604. Outside Valves. Approved means for shutting off the flow of gas from outside the building shall be provided on every gas service pipe 2 inches or larger in diameter or which supplies gas at a pressure in excess of one pound per square inch. Outside gas shut-off cocks or valves shall be located so as to be readily accessible and, when underground shall be placed in suitable valve boxes, manholes or vaults, the covers of which shall be clearly marked "Gas".

#### ARTICLE 6 LIQUEFIED PETROLEUM GASES

Section 601. Definition. "Liquefied petroleum gas" shall mean any material which is composed predominantly of any of the following hydrocarbons, or mixtures of them: propane, propylene, butane (normal butane or isobutane) and butylene.

Section 602. Permits and Reports of Installations.

a. A permit shall be obtained from the Fire Chief of said district, or if outside of a Fire District from the Town Board, for each installation of liquefied petroleum gas employing a container or an aggregate of interconnected containers of over 25 gallons water capacity and for each installation, in respect of size of containers, made at buildings in which people congregate for civic, political, educational, religious, social or recreational purposes. Such buildings shall include schools, churches, hospitals, institutions, hotels, and restaurants, each having a capacity of 20 or more persons. Prior to making such an installation, an installer shall submit plans to the Chief of the Fire Department or the Town Board if outside a Fire District, and if compliance with the requirements of this code is shown by said plans, a permit shall be issued.

b. Installers shall maintain a record of all installations, for which a permit is not required by paragraph (a) above (but not including installation of gas burning appliances and replacing of portable cylinders) and have it available for inspection by the Chief of the Fire Department or the Town Board if outside a Fire District.

Section 603. Standards for Liquefied Petroleum Gas Equipment and its Installation.

All installations of liquefied petroleum gas equipment including such equipment installed at utility gas plants, shall be in conformity with generally recognized standards for safety to persons and property. Except as otherwise provided in this article or in other laws or regulations legally in effect, conformity with the Standards of the National Board of Fire Underwriters for the Storage and Handling of Liquefied Petroleum Gases and in the case of liquefied petroleum gases at utility gas plants, conformity with the Standards of the National Board of Fire Underwriters for the Storage and Handling of Liquefied Petroleum Gas at Utility Gas Plants shall be prima facie evidence of conformity with generally recognized standards for safety to persons and property.

#### ARTICLE 7 GENERAL PRECAUTIONS AGAINST FIRE

Section 701. Bonfires and Outdoor Rubbish Fires.

a. PERMIT REQUIRED. No person shall kindle or maintain any bonfire or rubbish fire or

authorize any such fire to be kindled or maintained on or in any public street, alley, road, or other public ground without a permit or other proper authorization.

b. LOCATION RESTRICTED. No person shall kindle or maintain any bonfire or rubbish fire or authorize any such fire to be kindled or maintained on any private land unless (1) the location is not less than 50 feet from any structure and adequate provision is made to prevent fire from spreading to within 50 feet of any structure, or (2) the fire is contained in an approved waste burner with closed top, located safely not less than 15 feet from any structure. An adult person must be in attendance at the fire until the same is extinguished.

c. CHIEF MAY PROHIBIT. The Chief of the Fire Department may prohibit any or all bonfires and outdoor rubbish fires when atmospheric conditions or local circumstances make such fires hazardous.

d. The burning of buildings, barns, or hazardous structures is prohibited unless a permit is obtained from the Chief of the Fire Department or the Town Board if in areas outside of Fire Districts, which burning must take place under the supervision of the Fire Department, or a Town Board representative if outside of a fire district.

Section 702. Kindling of Fire on Land of Others Restricted.

No person shall kindle a fire upon the land of another without permission of the owner thereof or his agent.

Section 703. Hot Ashes and Other Dangerous Materials.

No person shall deposit hot ashes or cinders, or smoldering coals, or greasy or oily substances liable to spontaneous ignition, in any wooden receptacle, or place the same within ten feet of any combustible materials, except in metal or other noncombustible receptacles. Such receptacles, unless resting on a noncombustible floor or on the ground outside the building, shall be placed on noncombustible stands, and in every case must be kept at least two feet away from any combustible wall or partition.

Section 704. Accumulations of Waste Materials.

Accumulations of waste paper, hay, grass, straw, weeds, litter or combustible or flammable waste or rubbish of any kind shall not be permitted to remain upon any roof or in any court, yard, vacant lot or open space. All weeds, grass, vines or other growth, when same endangers property, or is liable to be fired, shall be cut down and removed by the owner or occupant of the property it is on.

Section 705. Handling Readily Combustible Materials.

No person making, using, storing or having in charge, or under his control any shavings, excelsior, rubbish, sacks, bags, litter,

hay, straw or combustible waste materials shall fail or neglect at the close of each day to cause all such material which is not compactly baled and stacked in an orderly manner to be removed from the building or stored in suitable vaults or in metal or metal lined, covered, receptacles or bins. The Chief of the Fire Department shall require suitable baling presses to be installed in stores, apartment buildings, factories and similar places where accumulations of paper and waste materials are not removed at least every second day.

Section 706. Storage of Readily Combustible Materials.

a. PERMIT REQUIRED. No person shall store in excess of 2,500 cubic feet gross volume of combustible empty packing cases, boxes, barrels or similar containers, or rubber tires, or baled cotton, rubber or cork, or other similarly combustible material.

b. STORAGE REQUIREMENTS.

Storage in buildings shall be orderly, shall not be within two feet of the ceiling, and not so located as to endanger exit from the building. Storage in the open shall not be more than twenty feet in height, shall be so located, with respect to adjacent buildings, as not to constitute a hazard, and shall be compact and orderly.

Section 707. Flammable Decorative Materials in Stores and Public Buildings.

Cotton batting, straw, dry vines, leaves, trees, or other highly flammable materials shall not be used for decorative purposes in show windows or other parts of stores, schools, churches, public buildings, or other public gathering places unless flame-proofed and unless approved by the District Fire Chief; provided, however, that nothing in this section shall be held to prohibit the display of saleable goods permitted and offered for sale.

Section 708. Chimneys and Heating Appliances to be Maintained in Safe Condition.

All chimneys, smokestacks or similar devices for conveying smoke or hot gases to the outer air, and the stoves, furnaces, fire boxes or boilers to which they are connected shall be constructed and maintained in such a manner as not to create a fire hazard.

Section 709. Use of Torches or Flame-producing Devices for Removing Paint.

Any person using a torch or other flame-producing device for removing paint from any building or structure shall provide one approved fire extinguisher or water hose connected to the water supply on the premises where such burning is done. In all cases the person doing the burning shall remain on the premises one (1) hour after the torch or flame-producing device has been used.

#### ARTICLE 8

#### SMOKING PROHIBITED UNDER CERTAIN CONDITIONS

Section 801. Definition. "Smoking" shall mean and include the carrying of lighted pipe, cigar or cigarette.

Section 802. Chief to Designate Areas Where Smoking Shall be Prohibited.

Where conditions are such as to make smoking a hazard in any areas of warehouses, stores, industrial plants, institutions, places of assembly, and in open spaces where combustible materials are stored or handled, the Chief of the Fire Department is empowered and authorized to order the owner or occupant in writing to post "No Smoking" signs in each building, structure, room or place in which smoking shall be prohibited. The Chief of the Fire Department shall designate specific safe locations, if necessary, in any building structure or place in which smoking may be permitted.

Section 803. No Smoking Signs. "No Smoking" signs required in accordance with Section 802 shall read "BY ORDER OF THE CHIEF OF THE FIRE DEPARTMENT", and shall be in "red" lettering on a "white" background.

Section 804. Smoking and Removal of No Smoking Signs Prohibited.

It shall be unlawful for any person to remove any legally required "No Smoking" sign or to smoke in any place, where such signs are posted.

#### ARTICLE 9 SEPARABILITY CLAUSE

If any clause, sentence, paragraph, section or part of this article is adopted, or as amended, supplemented, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy, which judgment shall have been rendered.

#### ARTICLE 10 PENALTIES

a. Any person who shall violate any of the provisions of the hereby adopted or fail to comply therewith, or who shall violate fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications plans submitted and approved thereunder, or any certificate permit issued thereunder as from which no appeal has been taken or who shall fail to comply with such an order as affirmed by a court of competent jurisdiction, within the time fixed here in, shall severally for each at

STATE OF NEW YORK  
COUNTY OF ERIE

the attached Fire Prevention Code has been recommended by the Board of Fire Commissioners in the Town of Cheektowaga.

#### FIRE PREVENTION CODE

##### ARTICLE I

##### GENERAL PROVISIONS

Section 101. Application to New and Existing Conditions.  
The provisions of this code shall apply equally to new and existing conditions except that existing conditions not in strict compliance with the terms of this code shall be permitted to continue where the exceptions do not constitute a distinct hazard to life or adjoining property.

Section 102. Authority to Enter Premises.

The Board of Fire Commissioners of each established Fire District shall have the power to authorize the Fire Chief or their duly authorized inspectors to enter any building or premises within their jurisdiction, at all reasonable hours for the purpose of making any inspection or investigation which, under the provisions of this code, he or they may deem necessary to be made.

Section 103. Inspections of Buildings and Premises.

The Board of Fire Commissioners of each established Fire District shall have the power to inspect, or cause to be inspected by the Fire Chief, or their inspectors, all buildings and premises including the interior of private dwellings, as often as may be necessary for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire, or any violations of the provisions or intent of this code and of any other ordinance affecting fire hazards and to insure compliance in all places of assembly with all laws, regulations, and orders dealing with overcrowding, use of decorative materials, maintenance of exit ways, and maintenance of fire detecting systems, fire extinguishing systems and appliances.

Section 104. Orders to Eliminate Fire Hazards.

Whenever any Fire Chief or authorized inspector of the Fire Department as mentioned in Section 103, shall find any building or premises in a dangerous or hazardous condition as follows, the Chief or authorized inspector shall order such dangerous conditions to be remedied in such manner as may be specified by the Chief of the Fire Company or authorized inspector:

a. Dangerous or unlawful amounts of combustible or explosive matter;

b. Hazardous conditions arising from defective or improperly installed equipment for handling or using combustible or explosive matter;

c. Dangerous accumulations of rubbish, waste paper, boxes, shavings or other highly flammable materials;

d. Accumulations of dust or waste material in air conditioning systems or of grease in kitchen exhaust ducts;

e. Obstructions to or on fire escapes, stairs, passageways, doors or windows, liable to interfere with the operations of the Fire Department or egress of occupants in case of fire;

f. Any building or other structure which, for want of repairs, lack of sufficient fire escapes or other exit facilities, automatic or other fire alarm, or other fire extinguishing equipment, or from any other cause, creates a fire hazard.

Section 105. Service of Orders.

Whenever any order as mentioned in Section 104 may be made upon the owner, occupant or other person responsible for the conditions, either by delivering a copy of same personally or by delivering the same to and leaving it with any person in charge of the premises, or in case no such person is found upon the premises by affixing a copy thereof in a conspicuous place on the door to the entrance of the said premises. Whenever it may be necessary to serve such an order upon the owner of premises such order may be served either by delivering to and leaving with the said person a copy of the said order, or, if such owner is absent from the jurisdiction of the officer making the order, by mailing such copy to the owner's last known post office address.

Section 106. Permits.

Permits required by the provisions of this code shall be obtained in writing from the Chief of the Fire Department. Permits shall be for such period as the Chief of the Fire Department may specify but not exceeding one (1) year. They shall be kept on the premises designated therein and shall be subject to inspection by any officer of the fire or police departments.

Before permits are issued, the Chief of the Fire Department shall make or cause to be made such inspections or tests as are necessary to assure that the provisions of this code are complied with.

Section 107. Definitions.

a. "Approved" shall mean accepted by the Chief or duly authorized inspector of the Fire Department as a result of investigation and experience, or by reason of test, listing or approval by Underwriters' Laboratories Inc.

the National Bureau of Standards, the American Gas Association, Laboratories or other nationally recognized testing agencies.

b. "Person" shall mean and include person, persons, firm, corporation or co-partnership.

c. "Town Board" shall mean the Cheektowaga Town Board.

d. "Board of Appeals" shall mean and include Chiefs of the Fire Departments of the eight Fire Districts in the Town of Cheektowaga, New York.

e. For the purposes of this Code the Town Board will perform the duties of the fire commission for property that is located outside of a fire district.

Section 108. Conformity to Nationally Recognized Standard Practice.

The storage, handling and use of flammable or explosive substances and the use or occupancy of buildings or premises shall be in conformity with nationally recognized standard practice for the safeguarding, to a reasonable degree, of life and property from the hazards of fire or explosion.

Compliance with the provisions of the Fire Prevention Code as adopted and amended and amendments thereto as recommended by the National Board of Fire Underwriters shall be deemed to be prima facie evidence of compliance with such nationally recognized standard practice for all matters not covered by this code.

Section 109. Enforcement.

The provisions of this code shall be enforced by the Board of Fire Commissioners in their established districts.

Section 110. Modifications.

The Board of Fire Commissioners in their established districts shall have power to modify any of the provisions of the code adopted upon application in writing by the owner or lessee, or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code, provided that the spirit of the code shall be observed, public safety secured, and substantial justice done. The particulars of such modification when granted or allowed shall be recorded in the records of the department and a signed copy shall be furnished to the applicant.

Section 111. Appeals.

A Board of Appeals is hereby created to consist of the Fire Chiefs of the eight Fire Districts of the Town of Cheektowaga, New York.

When an appeal is taken from the decision of the Board of Fire Commissioners, the Chief of that district's Fire Department shall be disqualified and shall not participate in the determination of the appeal.

Any applicant may appeal from the decision of the Board of Fire Commissioners to the Board of Appeals within thirty (30) days after the Board of Fire Commissioners have disapproved an application or refused to grant a license or permit where it is claimed that the provisions of the code do not apply or that the code is intended and meaning of the code have been misconstrued or wrongfully interpreted. The appeal must be in writing and must be served on any member of the Board of Appeals.

When an appeal is appealed to the Board of Appeals, it shall set down a date for a hearing and at least ten (10) days written notice shall be given to the applicant and the Board of Fire Commissioners, whose action is being appealed from.

The Board of Appeals shall render a decision within twenty (20) days of the matter has been finally submitted to it and the decision of a majority of the members of the Board of Appeals in attendance at the hearing shall be binding upon the parties, subject to a review by the court under Article 78 of the Civil Practice Act.

This code shall take effect and be in force from and after its approval by the Town Board as required by law.

##### ARTICLE 2

##### BOWLING ALLEYS

Section 201. General.

Bowling alleys shall conform to all other applicable requirements of this code as well as the following provisions:

Section 202. Alley Resurfacing Operations.

Resurfacing operations shall not be carried out while the establishment is open for business. The Chief of the Fire Department shall be notified when alleys are to be resurfaced. Proper ventilation shall be provided by heating, ventilating, or cooling systems employing recirculation of air shall not be operated during resurfacing operations or within one hour following the application of flammable finishes. All electric motors or other equipment in the area which might be a source of ignition shall be shut down, and all smoking and use of open flames prohibited during the application of flammable finishes and for one hour thereafter.

Section 203. Pin Refinishing.

Pin refinishing involving the application of flammable finishes shall not be done in a room lo-

cated below grade, nor shall it have communication with any pits, wells, pockets or basements; nor shall it have any flammable material wherein such pin refinishing is being carried out. It shall be equipped with an approved automatic sprinkler system unless the room is enclosed by walls and ceiling of construction having a fire-resistant rating of not less than one hour with openings therein protected by approved fire doors or fire windows, and with no opening from such room to any upper story.

Storage of flammable liquids shall not exceed a combined aggregate of 60 gallons in original metal containers, or approved safety containers not exceeding 5 gallons individual capacity. A metal waste can with self-closing cover shall be removed daily. Smoking shall be prohibited at all times in refinishing rooms.

##### ARTICLE 3

##### FIRE PROTECTION

Section 301. Chief to Survey Premises and Specify Equipment to be Provided.

The Chief of the Fire Department or the duly authorized inspector of the Fire Department shall survey each mercantile and manufacturing establishment, school, place of assembly, hospital, place of detention, hotel and multi-family house, and shall specify suitable fire detecting devices or extinguishing appliances which shall be provided in fire or surge protection, like establishments, storage rooms involving considerable combustible material, rooms in which hazardous processes are involved, garage sections and other places of a generally hazardous nature. Such devices or appliances may consist of automatic fire or surge protection, automatic sprinkler or water spray systems, standpipes and hose, fixed or portable fire extinguishers of a type suitable for the probable class of fire or surge protection, blankets, manual or automatic covers, or carbon dioxide or other inert gas extinguishing systems. In specially hazardous processes or operations, one or more additional than one type or special systems may be required.

Section 302. Maintenance of Equipment.

Sprinkler systems, standpipe systems, fire alarm systems and other fire protective or extinguishing systems or appliances which have been installed in compliance with any law or order, or because of any law or ordinance, shall be maintained in operative condition at all times. It shall be unlawful for any owner or occupant to reduce the effectiveness of the protection so required; except this shall not prohibit the owner or occupant from temporarily reducing such protection for repairs, alterations or additions. The Chief of the Fire Department shall be notified before such tests, repairs or alterations or additions are started unless the work is to be continuous until completion.

##### ARTICLE 4

##### GARAGES

Section 401. General. Garages shall conform to all other applicable requirements of this code as well as the following provisions:

Section 402. Repair Work.

Welding and cutting and other processes involving direct application of flame shall not be carried on in any garage unless the garage is equipped with an approved automatic sprinkler system, or such processes are carried on in a room enclosed by walls and ceiling of construction having a fire-resistant rating of not less than one hour with openings therein protected by approved fire doors or fire windows, and with no opening from such room to any upper story. No repairs of any kind shall be made in any garage the floor of which is more than two feet below the drive-in entrance level.

Section 403. Cleaning With Flammable Liquids.

No flammable liquid with a flash point below 100 degrees Fahrenheit shall be used for washing parts or removing grease or dirt, unless in a special closed machine approved for the purpose or in a separate well-ventilated room or enclosure having a fire resistance rating of not less than two hours with openings therein protected by approved fire doors or fire windows, with no opening from such room to any upper or lower story.

Section 404. Handling of Gasoline and Oils.

a. The fuel tanks of motor vehicles shall be filled directly through hose from approved pumps attached to approved portable tanks or drawing from underground storage tanks. No transfer of gasoline in any garage shall be made in any open container.

b. No garage floor drain shall connect to any sewer unless provided with an oil separator or trap.

##### ARTICLE 5

##### GAS PIPING AND APPLIANCES

Section 501. Installations to

(Continued on Page 2)

Item No. 10-Cont'd Cheektowaga

#### STATE OF COUNTY OF

Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, in the said Town of Cheektowaga, New York, on the 18th day of June, 1966, at 7:30 o'clock P. M., Eastern Daylight Saving Time, there were:

PRESENT: Benedict T. Holts, Supervisor; Joseph A. Neibert, Councilman; Henry J. Nagel, Councilman; Felix T. Wroblewski, Councilman; Joseph Trojanowski, Councilman; Joseph Kornecki, Councilman.

ABSENT: Stanley R. Bystrak, Councilman.

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, The Cheektowaga Fire Chiefs Association through the Fire Commissioners of the Fire Districts located in the Town of Cheektowaga, New York, have requested the Town Board to adopt a Fire Prevention Code, and

WHEREAS, several hearings have been held with the Fire Commissioners relative to its provisions and the text of the proposed ordinance has been approved by the duly appointed representatives of the Fire Commissioners.

BE IT RESOLVED, that the Town Board meet on the 2nd day of July, 1966 at 2:30 o'clock P.M., Eastern Daylight Saving Time, at the Town Hall, corner of Union Road and Broadway, Cheektowaga, New York, for the purpose of considering the advisability of adopting the following Fire Prevention Code:

Whereas the Cheektowaga Fire Chiefs Association through the Board of Fire Commissioners of the Volunteer Fire Companies of the Town of Cheektowaga, Erie County, New York have requested the Cheektowaga Town Board to adopt this Fire Prevention Code for the Town of Cheektowaga, in order to reduce fire hazards in said town, and in order to safeguard the lives and property of our citizens and also to decrease the risks involved by our firemen, and the work and time involved in fighting fires,

## FIRE PREVENTION CODE

(Continued from Page 2)

Conform to Standard Safe Practice.

a. Gas Piping and gas appliances in buildings shall be installed in accordance with standard safe practice.

b. Installation of gas piping and appliances for domestic and commercial uses, in accordance with the standards of the National Board of Fire Underwriters for the installation of Gas Piping and Gas Appliances in Buildings, shall be deemed prima facie evidence of installation in accordance with standard safe practice.

### Section 502. Pressure Regulation.

a. Where the pressure of gas supplied to domestic commercial or other low pressure gas piping systems in buildings is in excess of one pound per square inch, an approved gas pressure regulator or sufficient else shall be installed in the service pipe of each such system to prevent pressure in excess of one pound per square inch from being introduced into such building piping.

b. Located inside a building the above required regulator shall be equipped with a vent pipe leading to the outer air. Means shall be employed to prevent water from entering this pipe and also to prevent stoppage of it by insects or foreign matter.

### Section 503. Pipe Entrance to Buildings.

Where gas piping enters a building through a wall or floor of masonry or concrete any gas pipe or other nearby pipes entering the same wall or floor shall be suitably sealed against the entrance of water or gas.

### Section 504. Outside Valves.

Approved means for shutting off the flow of gas from outside the building shall be provided on every gas service pipe 2 inches or larger in diameter or which supplies gas at a pressure in excess of one pound per square inch. Outside gas shut-off cocks or valves shall be located so as to be readily accessible and, when underground shall be placed in suitable valve boxes, manholes or vaults, the covers of which shall be clearly marked "Gas".

## ARTICLE 6

### LIQUEFIED PETROLEUM GASES

Section 601. Definition. "Liquefied petroleum gas" shall mean any material which is composed predominantly of any of the following hydrocarbons, or mixtures of them: propane, propylene, butane (normal), butane or isobutane and butylenes.

### Section 602. Permits and Reports of Installations.

a. A permit shall be obtained from the Fire Chief of the Fire District from the Town Board, for each installation of liquefied petroleum gas employing a container or an aggregate of interconnected containers, of more than one gallon water capacity, and for each permanent installation, irrespective of size of containers, made at buildings in which people congregate for social, political, educational, religious, social or recreational purposes. Such buildings shall include schools, churches, hospitals, institutions, hotels, and restaurants, each having a capacity of 20 or more persons. Prior to making such an installation, an installer shall submit plans to the Chief of the Fire Department or the Town Board of the Fire District, and if compliance with the requirements of this code is shown by said plans, a permit shall be issued.

b. An installer shall maintain a record of all installations, for which a permit is not required by paragraph (a) above (but not including installation of gas burning appliances and spacing of portable cylinders) and have it available for inspection by the Chief of the Fire Department or the Town Board if outside a Fire District.

### Section 603. Standards for Liquefied Petroleum Gas Equipment and its Installation.

All installations of liquefied petroleum gas equipment including all equipment installed at utility gas plants, shall be in conformity with generally recognized standards for safety to persons and property. Except as otherwise provided in this article or in other laws or regulations locally in effect, conformity with the Standards of the National Board of Fire Underwriters for the Storage and Handling of Liquefied Petroleum Gases and in the case of liquefied petroleum gases at utility gas plants, conformity with the Standards of the National Board of Fire Underwriters for the Storage and Handling of Liquefied Petroleum Gas at Utility Gas Plants shall be prima facie evidence of conformity with generally recognized standards for safety to persons and property.

## ARTICLE 7

### GENERAL PRECAUTIONS AGAINST FIRE

### Section 701. Bonfires and Outdoor Rubbish.

a. PERMIT REQUIRED. No person shall kindle or maintain any bonfire or rubbish fire or

authorize any such fire to be kindled or maintained on or in any public street, alley, road, or other public ground without a permit or other proper authorization.

### b. LOCATION RESTRICTED.

No person shall kindle or maintain any bonfire or rubbish fire or authorize any such fire to be kindled or maintained on any private land unless (1) the location is not less than 50 feet from any structure and adequate provision is made to prevent fire from spreading to within five feet of any structure, or (2) the fire is contained in an approved waste burner with closed top, located safely not less than 15 feet from any structure.

### c. CHIEF MAY PROHIBIT.

The Chief of the Fire Department may prohibit any or all bonfires and outdoor rubbish fires when atmospheric conditions or local circumstances make such fires hazardous.

d. The burning of buildings, barns, or hazardous structures is prohibited unless a permit is obtained from the Chief of the Fire Department or the Town Board if in areas outside of Fire Districts, which burning must take place under the supervision of the Fire Department, or a Town Board representative if outside of a fire district.

### Section 702. Kindling of Fire on Land of Others Restricted.

No person shall kindle a fire upon the land of another without permission of the owner thereof or his agent.

### Section 703. Hot Ashes and Other Dangerous Materials.

No person shall deposit hot ashes or cinders, or smouldering coals, or greasy or oily substances liable to spontaneous ignition, into any wooden receptacle, or place the same within ten feet of any combustible materials, except in metal or other noncombustible receptacles. Such receptacles, unless resting on a noncombustible floor or on the ground outside the building, shall be placed on noncombustible stands, and in every case must be kept at least two feet away from any combustible wall or partition.

### Section 704. Accumulations of Waste Materials.

Accumulations of waste paper, hay, grass, straw, weeds, litter or combustible or flammable waste or rubbish of any kind shall not be permitted to remain upon any roof or in any court, yard, vacant lot or open space. All weeds, grass, vines or other growth, when same endangers property, or is liable to be fired, shall be cut down and removed by the owner or occupant of the property it is on.

### Section 705. Handling Readily Combustible Materials.

No person making, using, storing or having in charge, or under his control any shavings, excel-

sior, rubbish, sacks, bags, litter, hay, straw or combustible waste materials shall fail or neglect at the close of each day to cause all such material which is not compactly baled and stacked in an orderly manner to be removed from the building or stored in suitable vaults or in metal or metal lined, covered, receptacles or bins. The Chief of the Fire Department shall require suitable baling presses to be installed in stores, apartment buildings, factories and similar places where accumulations of paper and waste materials are not removed at least every second day.

### Section 706. Storage of Readily Combustible Materials.

a. PERMIT REQUIRED. No person shall store in excess of 2500 cubic feet gross volume of combustible empty packing cases, boxes, barrels or similar containers, or rubber tires, or baled cotton, rubber or cork, or other similarly combustible material.

### b. STORAGE REQUIREMENTS.

Storage in buildings shall be orderly, shall not be within two feet of the ceiling, and not so located as to endanger exit from the building. Storage in the open shall not be more than twenty feet in height, shall be so located, with respect to adjacent buildings, as not to constitute a hazard, and shall be compact and orderly.

### Section 707. Flammable Decorative Materials in Stores and Public Buildings.

Cotton batting, straw, dry vines, leaves, trees, or other highly flammable materials shall not be used for decorative purposes in show windows or other parts of stores, schools, churches, public buildings, or other public gathering places unless flame-proofed and unless approved by the District Fire Chief; provided, however, that nothing in this section shall be held to prohibit the display of saleable goods permitted and offered for sale.

### Section 708. Chimneys and Heating Appliances to be Maintained in Safe Condition.

Chimneys, smokestacks or similar devices for conveying smoke or hot gases to the outer air, and the stoves, furnaces, fire boxes or boilers to which they are connected shall be constructed and maintained in a safe manner as not to create a fire hazard.

### Section 709. Use of Torches or Flame-producing Devices for Removing Paint.

Any person using a torch or other flame-producing device for removing paint from any building or structure shall provide one approved fire extinguisher or water hose connected to the water supply on the premises where such burning is done. In all cases, the person doing the burning shall remain on the premises one (1) hour after the torch or flame-producing devices have been used.

## ARTICLE 8

### SMOKING PROHIBITED UNDER CERTAIN CONDITIONS

#### Section 801. Definition.

"Smoking" shall mean and include the carrying of lighted pipe, cigar or cigarette.

#### Section 802. Chief to Designate Areas Where Smoking Shall be Prohibited.

Where conditions are such as to make smoking a hazard in any areas of warehouses, stores, industrial plants, institutions, places of assembly, and in open spaces where combustible materials are stored or handled, the Chief of the Fire Department is empowered and authorized to order the owner or occupant in writing to post "No Smoking" signs in each building, structure, room or place in which smoking shall be prohibited. The Chief of the Fire Department shall designate specific safe locations, if necessary, in any building structure or place in which smoking may be permitted.

#### Section 803. No Smoking Signs.

"No Smoking" signs required in accordance with Section 802 shall read "BY ORDER OF THE CHIEF OF THE FIRE DEPARTMENT", and shall be in "red" lettering on a "white" background.

#### Section 804. Smoking and Removal of No Smoking Signs Prohibited.

It shall be unlawful for any person to remove any legally required "No Smoking" sign or to smoke in any place, where such signs are posted.

#### ARTICLE 9

### SEPARABILITY CLAUSE

If any clause, sentence, paragraph, section or part of this article as adopted, or as amended or supplemented, shall be adjudged by any court of competent jurisdiction, to be invalid or unconstitutional, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which judgment shall have been rendered.

#### ARTICLE 10

### PENALTIES

a. Any person who shall violate any of the provisions of the code hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder and from which no appeal has been taken or who shall fail to comply with such an order as affirmed or modified by the Appeal Board or by a court of competent jurisdiction, within the time fixed here-in, shall severally for each and

every such violation and noncompliance respectively, be guilty of a misdemeanor punishable by a fine of not more than \$50.00 or by imprisonment for not more than six (6) months, or by both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense.

b. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

AND BE IT FURTHER RESOLVED, that at such public hearing all persons interested in the subject matter thereof concerning the same, shall be given an opportunity to be heard, 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 DEWEY HERALD AND CHEEKTOWAGA NEWS and the CHEEKTOWAGA SUN, newspapers having a general circulation in the said Town, 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 or cause to be posted conspicuously on a sign board maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution and order.

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

Supervisor Benedict T. Holtz, Voting Aye; Councilman Joseph A. Neibert, Voting Aye; Councilman Henry J. Nagel, Voting Aye; Councilman Felix T. Wroblewski, Voting Aye; Councilman Joseph Trojanosky, Voting Aye.

AYES: 5; NOES: 0; ABSENT: 2.

State of New York, Erie County,

Office of the Clerk of the

Town of Cheektowaga, N. Y.:

as:

This is to certify that I, KENNETH T. HANLEY, Clerk of the

Town of Cheektowaga, in the

said County of Erie, have com-

pared the foregoing copy of resolu-

tion 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 18 day of June, 1956, and that

the same is a correct and true

transcript of such original resolu-

tion and the whole thereof.

In Witness Whereof, I have

hereunto set my hand and affixed

the seal of said Town this 18 day

of June, 1956.

KENNETH T. HANLEY,

Clerk of the Town Board,

Town of Cheektowaga, N. Y.

Item No. 11 This being the time and the place advertised for the receiving of sealed bids for the purchase of eleven hundred twenty (1120) feet of corrugated metal sewer pipe-arch, for use by the Highway Department.

The Town Clerk presented proof that the Notice to Bidders has been duly published and posted as prescribed by law.

Councilman Nelbert moved, seconded by Councilman Trojanowky, that the Clerk be authorized and directed to open the sealed bids on hand.

Hereto attached is a summary of the bids received and opened:

K. Hanley

|                      | I T E M A  |                    | I T E M B  |           | I T E M C  |           | Total- A, B, & C |
|----------------------|------------|--------------------|------------|-----------|------------|-----------|------------------|
|                      | Unit Price | Total A            | Unit Price | Total B   | Unit Price | Total C   |                  |
| Louis M. Gray        |            | Combined A & B ... |            | \$4966.44 |            | \$3289.44 | \$8255.88        |
| Chemung Supply Corp. |            | \$3519.12          |            | 815.92    |            | 2870.56   | 7205.60          |
| Thruway Builders     | \$5.25     | 3906.00            | \$7.31     | 903.00    | \$10.34    | 3184.72   | 7993.72          |
| Henry R. Duch        | 4.88       | 3630.72            | 6.78       | 840.72    | 9.61       | 2959.88   | 7431.32          |
| Philip J. Glinski    | 4.61       | 3429.84            | 6.40       | 793.60    | 9.07       | 2793.56   | 7017.00          |

Item No. 11-Contd' At the request of the Chairman the bids were ordered referred to the Town Engineer for analysis and tabulation.

Item No. 12 This being the time and the place advertised for the receiving of sealed bids for the purchase of SEWERODER EQUIPMENT for sewer cleaning purposes.

The Town Clerk presented proof that the Notice to Bidders has been duly published and posted as required by law.

Councilman Neibert moved, seconded by Councilman Trojanosky, that the sealed bids on hand be opened by the Clerk.

The Clerk advised the Board that NO SEALED BIDS have been received.

Item No. 13 Communication read from the Town Highway Superintendent advising the Board that he has inspected the highways known as Woodcrest and Harvard Court, and find that they meet with the specifications set forth by the Town, and therefore requests that the Town Board accept same as a Town Highway.

Ordered referred to the Town Attorney, Councilman Nagel, Councilman Bystrak and Councilman Neibert.

Item No. 14 Communication read from the Board of Fire Commissioners Pine Hill Fire District No. 5, requesting the Board to have NO PARKING on the west side of Pine Ridge Road, between Genesee and Wildy Streets.

Ordered referred to the Chief of Police.

Item No. 15 Communication read from the County of Erie Personal Officer advising the Board of a meeting to be held on June 19, 1956, in the Council Chambers, Erie County Hall. Ordered received and filed.

Item No. 16 Communication read from the Genesee-Pine Hill Business Mens Association thanking the Town Board for the installation of a Traffic Signal Light at the intersection of Genesee and Andrews Street.

Item No. 17 Communication read from the Department of Audit and Control approving the request of the Town in extending Doyle Fire District No. 1 ( 1-16-56 Town Board resolution ).

Item No. 18 Communication read from the Department of Audit and Control approving the request of the Town in extending Forks Fire District No. 3. (11-7-55 Town Board resolution).

Item No. 19 Petition for the improvement of Lemoine Avenue by the construction of a permanent paving in said street, ordered referred to the Assessors for a property check.

Item No. 20 Petition for the improvement of Wallace Avenue by the construction of a permanent pavement in said street, ordered referred to the Assessors for a property check.

Item No. 21 The request of the residents of Raymond Street for a decision in relation to errors in their surveys was referred to Councilman Wroblewski, who in turn called a meeting for June 23, 1956, at 12 Noon.

Item No. 22 The complaint of Stanley Walczak, William Street businessman that the U.S. Rubber was once again emanating foul odors from their plant was referred to the Town Attorney for investigation and if the results are not satisfactory the Board went on record to call a public hearing on the matter for July 9, 1956.

Item No. 23 The complaint of Joseph Gorski of No. 18 Crestwood Place in relation to the erection of a gasoline filling station at the corner of Genesee Street and Crestwood was referred to the Petitions Committee.

Item No. 24 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 a warrant on the Supervisor for payment of same. ( Warrant No. 1390 to Warrant No. 1666 inclusive, drawn on the Supervisor.)

Item No. 25 This being the time and the place advertised for a public hearing for the Extension of the U-Crest Fire District No. 4.

Hereto attached is a description of the proposed Extension:

**Description of Territory Proposed  
To Be Annexed to Fire District  
No. 4**

All that tract or parcel of land situate in the Town of Cheektowaga, County of Erie and State of New York being more particularly described as follows:

Beginning at the point of intersection of the easterly line of the existing district with the center line of Genesee Street.

Running thence easterly along the center line of Genesee Street to the westerly line of lands now or formerly owned by W. Poston and wife.

Thence northerly along the west-

erly line of lands now or formerly owned by W. Poston and wife, 353 feet more or less to the southerly line of lands conveyed under Liber 2043 of Deeds, Page 190.

Thence easterly along the southerly line of land so conveyed 374 feet more or less to the northeasterly line of lands conveyed under Liber 1871 of Deeds, Page 188.

Thence southerly along the easterly line of lands so conveyed, 354 feet more or less to the center line of Genesee Street.

Thence easterly along the center line of Genesee Street to the westerly line of lands of the Westinghouse Electric Corp.

Thence northerly along the westerly line of lands of the Westinghouse Electric Corp. to the northerly line of said lands.

Thence southeasterly along the said northerly line of the lands of the Westinghouse Electric Corp. to the center line of Sugg Road.

Thence southerly along the center line of Sugg Road to the center line of Genesee Street.

Thence westerly along the center line of Genesee Street to the easterly line of lands of the Cornell Laboratories.

Thence southerly along the easterly line of the lands of the Cornell Laboratories to the southerly line of the West Shore Railroad.

Thence southwesterly along the southerly line of the West Shore Railroad to the easterly line of the existing district.

Thence northerly along the easterly line of the existing district to the center line of Genesee Street or the point or place of beginning.

Wherever in the above description reference is made to the north-south lines of the properties of W. Poston and wife, Westinghouse Electric Corp. and Cornell Laboratories, such description shall be construed to mean the extension of such lines to the center line of Genesee Street, in those cases where the descriptions in the property deeds do not run to said center line of Genesee Street.

and

Item No. 25-Cont'd The Town Clerk presented proof that the Notice of Hearing has been duly published and posted as required by law. 131

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

At the request of the Board William S. Lamay No. 97 North Buffalo Road, Orchard Park, New York, was sworn in to act as a official stenographer for this proceeding.

Attorney at Law John S. O'Donnell, representing the Westinghouse Corporation was granted the floor and appeared in opposition to the proposed extension.

Mr. P.M Love representing the Westinghouse Corporation appeared in opposition.

Mr Kenneth W. Kitzinger representing the U-Crest Hose Company District No. 4 appeared in favor.

( please be advised that the full proceeding as recorded by the official stenographer are on file in General File Box under the Number of \_\_\_\_\_)

Attorney O'Donnell presented to the Board for the record and to be known as Exhibit No. 1 for the Westinghouse Corporation a manuel named " Fire Protection and Fire Prevention Manuel ".

The following communication was read aloud by the Town Clerk:

HODGSON, RUSS, ANDREWS, WOODS & GOODYEAR

Attorneys at Law

800 M and T Building

Buffalo 2, N.Y.

June 18, 1956

TO THE HONORABLE TOWN COUNCIL  
Town of Cheektowaga, New York,

Dear Sirs:

RE: PROPOSED EXTENSION OF U CREST FIRE DISTRICT NO. 4

We are the local Attorneys for the Westinghouse Electric Corporation and have been authorized to inform your Council Body that the company will vigorously resist, by court proceedings or otherwise, the payment of any tax or taxes which may be levied or assessed against the Westinghouse Electric Corporation in the event that the premises of the company are included in the proposed extended district, the subject matter of which is now before your Board for its consideration and determination.

Very truly yours,

Hodgson, Russ, Andrews, Woods & Goodyear

BY: John S. O'Donnell.

JSO'D:an

The Chairman ordered the hearing closed and Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, there has been presented to this Town Board a written petition in due form together with the necessary map and plan for the extension of the existing Fire District in this Town known as Fire District No. 4, by annexing thereto the territory situate in such Town and hereinafter described, and an order of the Town Board reciting the filing of said petition and specifying the time when and place where said Town Board would meet to consider said petition and to hear all persons interested in the subject concerning the same having been published and posted as required by law, and the hearing having taken place at the Town Hall, corner of Broadway and Union Road, Town of Cheektowaga, New York, on the 18th day of June, 1956, at which hearing all persons interested in the subject matter were given an opportunity to be heard and the Town Board having given due consideration thereon, and

WHEREAS, the said petition as presented to the Town Board on the 28th day of February, 1956, for the extension of the Existing Fire District No. 4 of the Town of Cheektowaga, New York, is signed, approved and acknowledged



as required by law, and is otherwise sufficient, and there is attached to said petition a map and plan prepared by Nussbaumer, Clarke and Velzy, Engineers, duly licensed by the State of New York, showing the boundaries of the existing Fire District, and the general plan of the proposed extension, and

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

WHEREAS, there is annexed to the petition the consent duly executed by the Fire Commissioners of Fire District No. 4,

NOW, THEREFORE, after due deliberation it is hereby RESOLVED and DETERMINED:

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

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

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

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

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

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

RESOLVED, that the petition for the extension of the existing Fire District No. 4, be and the same hereby is granted and the said existing Fire District No. 4, is hereby extended to embrace the following described territory:

DESCRIPTION OF TERRITORY PROPOSED TO BE ANNEXED TO FIRE DISTRICT

NO. 4

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE TOWN OF CHEEKTOWAGA, COUNTY OF ERIE, AND STATE OF NEW YORK BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at the point of intersection of the easterly line of the existing district with the center line of Genesee Street.

Running thence easterly along the center line of Genesee Street to the westerly line of lands now or formerly owned by W. Poston and wife.

Thence northerly along the westerly line of lands now or formerly owned by W. Poston and wife, 353 feet more or less to the southerly line of lands conveyed under Liber 2043 of Deeds Page 190.

Thence easterly along the southerly line of land so conveyed 374 feet more or less to the northeasterly line of lands conveyed under Liber 1871 of Deeds Page 188.

Thence southerly along the easterly line of lands so conveyed 354 feet more or less to the center line of Genesee Street.

Thence easterly along the center line of Genesee Street to the westerly line of lands of the Westinghouse Electric Corporation.

Thence northerly along the westerly line of lands of the Westinghouse Electric Corporation to the northerly line of said lands.

Thence southeasterly along the said northerly line of the lands of the Westinghouse Electric Corporation to the center line of Sugg Road.

Thence southerly along the center line of Sugg Road to the center line of Genesee Street.

Thence westerly along the center line of Genesee Street to the easterly line of lands of the Cornell Laboratories.

Thence southerly along the easterly line of the lands of the Cornell Laboratories to the southerly line of the West Shore Railroad.

Thence southwesterly along the southerly line of the West Shore Railroad to the easterly line of the existing district.

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Item No. 25-Contd' Thence northerly along the easterly line of the existing district to the center line of Genesee Street or the point or place of beginning.

Wherever in the above description reference is made to the north-south lines of the properties of W. Poston and wife, Westinghouse Electric Corporation and Cornell Laboratories, such description shall be construed to mean the extension of such lines to the center line of Genesee Street, in those cases where the description in the property deeds do not run to said center line of Genesee Street.

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

|                       |        |     |
|-----------------------|--------|-----|
| Supervisor Holtz      | Voting | AYE |
| Councilman Neibert    | "      | "   |
| Councilman Nagel      | "      | "   |
| Councilman Wroblewski | "      | "   |
| Councilman Trojanosky | "      | "   |

AYES: -5-

NOES: -0-

ABSENT: -2-

Item No. 26  
to adjourn.

Councilman Nagel moved, seconded by Councilman Wroblewski

SEAL

Kenneth T. Hanley, Town Clerk

*Kenneth T. Hanley*

Item No. 1 At a special meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 26th day of June, 1956, at 5:30 O'Clock P.M., E.D.S.T., there were:

|                            |            |
|----------------------------|------------|
| PRESENT: Benedict T. Holtz | Supervisor |
| Henry J. Nagel             | Councilman |
| Felix T. Wroblewski        | "          |
| Joseph Kornecki            | "          |
| Joseph Trojanosky          | "          |
| Joseph A. Neibert          | "          |
| ABSENT: Stanley R. Bystrak | "          |

Also present were: Town Clerk Kenneth T. Hanley, Town Attorney George B. Doyle; Thomas E. Delahunt, employee of the Town Attorneys Office and Town Engineer Albert J. Kamm.

Item No. 2 Communication read from Loris L. Durfee requesting permission to operate a Micro Midget Auto Racing Club on premises owned by Mrs Fred Hirsch located near the intersection of Genesee Street and Transit Road.  
Ordered referred to the Town Attorney for investigation.

Item No. 3 Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that Joseph Lipinski, Foreman in the Highway Department, who has been absent from his duties due to illness and has been under the Doctors care from June 11, 1956 and who expects to return to work June 29, 1956, be granted compensation by the Town of Cheektowaga in accordance with the Sick-Leave Ordinance of the Town, specifically fourteen (14) days.

Seconded by Councilman Kornecki.

CARRIED: AYES: -6-  
ABSENT: -1-

Item No. 4 Councilman Kornecki presented the following resolution and moved its adoption:

RESOLVED, that the request of Frank Kozlowski an employee of the Highway Department of the Town of Cheektowaga, New York that he be paid his salary in accordance with the Sick-Leave Ordinance of the Town of Cheektowaga for the period June 6, 1956, to August 6, 1956, by which time he expects to be fully recovered from an operation necessitated due to injuries he suffered in the performance of his duties be granted.

Seconded by Councilman Trojanosky

CARRIED: AYES: -6-  
ABSENT: -1-

Item No. 5 Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, bids were received on June 4, 1956, after competitive bidding for an Industrial Crawler Tractor equipped with hydraulic angle type bulldozer blade, and WHEREAS, the lowest bid submitted was that of Charles T. Guzzetta and Sons, Angola, New York, who bid \$3,800.00, be it

RESOLVED, that the said bid of Charles T. Guzzetta and Sons to sell to the Town of Cheektowaga, New York, the Industrial Crawler Tractor in accordance with the plans and specifications for the sum of \$3,800.00 be accepted and that the Supervisor be authorized to pay the same upon delivery thereof.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -6-  
ABSENT: -1-

Item No. 6 Councilman Trojanosky presented the following resolution and moved its adoption:

WHEREAS, bids were received on the 18th day of June, 1956, for a Seweroder, and

WHEREAS, the only bid submitted was that by the Frank Donovan Company ( on June 19, 1956 ) 9 South Clinton Street, Chicago 6, Ills., in the amount of \$4,572.30 by the terms of which bid the Frank Donovan Company agreed to furnish said Seweroder in accordance with said specifications, be it

RESOLVED, that the bid of Frank Donovan Company to sell to the Town of Cheektowaga the said Sewerode as per specifications for the sum of \$4,572.30 be accepted and that the Supervisor be authorized to pay for same on delivery.

CARRIED: AYES: -6-  
ABSENT: -1-

Item No. 7  
its adoption:

Councilman Wroblewski presented the following resolution and moved

as follows:

WHEREAS, bids were received after competitive bidding for Culvert Pipe

- (A) 700 lineal feet of #14 gauge corrugated metal sewer pipe-arch with a span of 36 inches, height of 22 inches (Cross-sectional area 4.4 sq. ft.) in 20 foot sections with 44 connecting bands or collars to match. Galvanized coating of 2 ounces per sq. ft.
- (B) 120 lineal feet of #12 gauge corrugated metal sewer pipe-arch with a span of 36 inches height of 22 inches (Cross-sectional area 4.4 sq. ft.) in 20 foot sections with 4 connecting bands or collars to match. Galvanized coating of 2 ounces per sq. ft.
- (C) 300 lineal feet of #12 gauge corrugated metal sewer pipe-arch with a span of 50 inches, height of 31 inches ( Cross-sectional area 8.7 sq. ft. ) in 20 foot sections with 8 connecting bands or collars to match. Galvanized coating of 2 ounces per sq. ft.

WHEREAS, the lowest bid submitted on the unit price on each of the items A; B and C was made by Phil J. Glinski who submitted for items:

- (a) 700 lineal feet @ \$4.61 per ft. with 44 connecting band @ \$4.61 per band
- (b) 120 lineal feet @ \$6.40 per ft. with 4 connecting bands at \$6.40 per band.
- (c) 300 lineal feet @ \$9.07 per ft. with 8 connecting band at \$9.07 per band

WHEREAS, there has been appropriated for the purpose of purchasing said pipe the sum of \$6,000.00, be it

RESOLVED, that the said bid of Phil J. Glinski be accepted the total of which is \$7,017.00 and that the balance in excess of the appropriation be paid from existing surpluses, and be it further

RESOLVED, that the Supervisor be authorized to pay the same upon delivery thereof.

Seconded by Councilman Neibert.

CARRIED: AYES: -6-  
ABSENT: -1-

Item No. 8  
adoption:

Councilman Neibert presented the following resolution and moved its

RESOLVED, that there be created in the Town of Cheektowaga, New York, 54 Election Districts; that attached to and made a part of this resolution is a metes and bounds description of each of the Districts created; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Erie County Board of Elections.

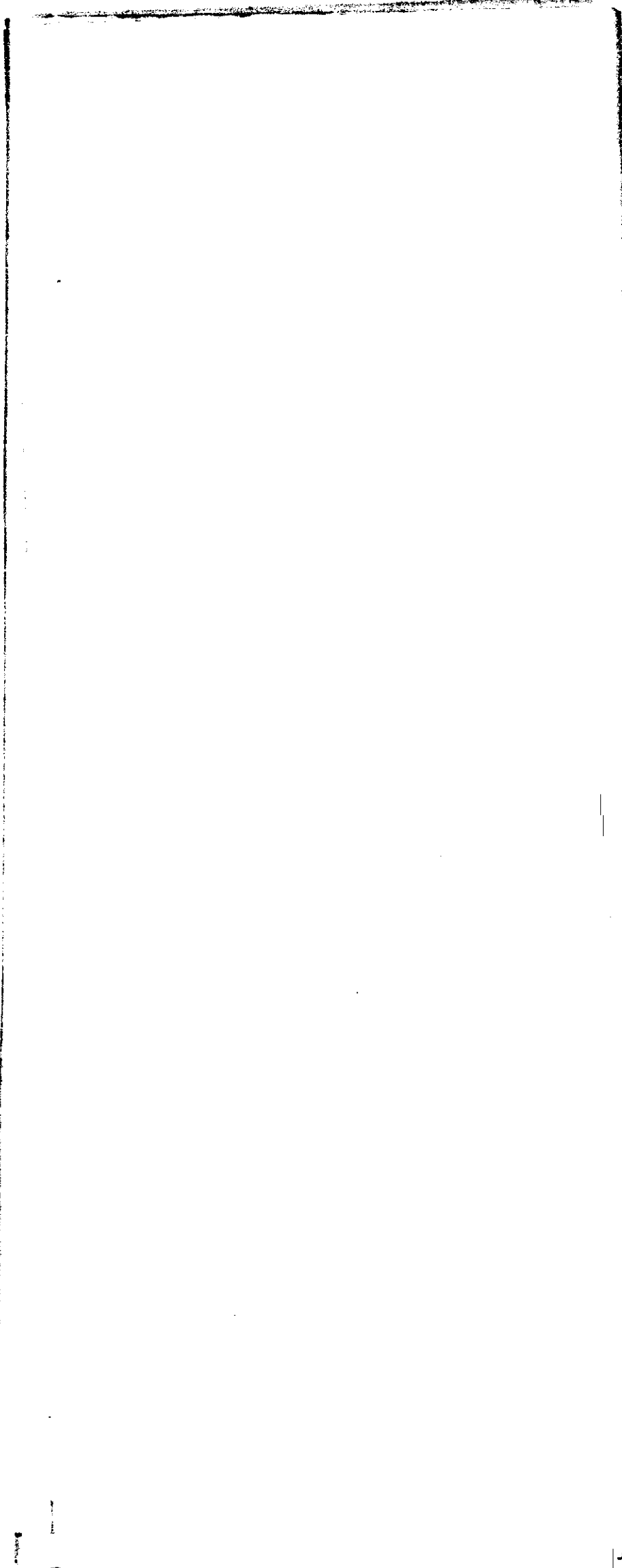
Seconded by Councilman Trojanoksy.

CARRIED: AYES: -6-  
ABSENT: -1-

HERETO ATTACHED IS A COPY OF THE MAP AND A METES AND BOUNDS DESCRIPTION OF SAID ELECTION DISTRICTS.

Item No. 8-Contd

ELECTION MAP AND METES AND BOUNDS DESCRIPTION ( 54 DISTRICTS)



|  |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |    |    |    |
|--|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|----|----|----|
|  | A | B | C | D | E | F | G | H | I | J | K | L | M | N | O | P | Q | R | S | T | U | V | W | X | Y | Z | AA | BB | CC |
|--|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|----|----|----|

LEGEND

|                       |   |
|-----------------------|---|
| TOWN & RANGE LINE     | X ——— X ———                                 |
| CITY & VILLAGE LINE   | —————                                       |
| FARM & GREAT LOT LINE | —————                                       |
| PROPERTY LINE         | —————                                       |
| STATE HIGHWAY         | <u>GENESEE</u> <sup>RD</sup> <u>STREET</u>  |
| COUNTY HIGHWAY        | <u>CLEVELAND</u> <sup>RD</sup> <u>DRIVE</u> |
| TOWN HIGHWAY          | <u>HUTH</u> <sup>RD</sup> <u>ROAD</u>       |
| STREAMS               | —————                                       |

A compass rose with a circular center and four points. The top point is labeled 'N' for North. Below the compass rose is a horizontal scale bar with markings at 0, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

This is a detailed black and white map of Buffalo, New York, showing street grids, lot numbers, and various landmarks. The map is divided into sections by a grid of numbers (1-50) and letters (A-Z). Key features include the Buffalo Airport, Buffalo Creek, and the Buffalo River. The map is labeled "TOWN OF" at the top and "CITY OF" on the left side. The map is oriented with North at the top.

|           |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
|-----------|---|---|---|---|---|---|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|
| 1         | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 |
| LANCASTER |   |   |   |   |   |   |   |   |    |    |    |    |    |    | 40 |    |    |    |    |    |    |    |    |    |    |





Item No. 9 Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, a Change Order No. 2 in the Sewage Treatment Plant No. 5 has been recommended by Nussbaumer Clarke and Velzy, Consulting Engineers to install 2 inch and 4 inch water lines to serve the existing primary settling tanks, the existing recirculation buildings, and the proposed recirculation building to include all necessary connections, valves and fittings as shown on drawing number C-5909-1, revision 4 thereof, for the subject project, in order to provide more adequate water pressure for proper plant operation, at a cost of \$2,110.00, be it

RESOLVED, that the Change Order a copy of which is attached to and made a part of this resolution, be approved and the contract between the Town of Cheektowaga, New York and the Pitt Construction Company be amended accordingly.

Seconded by Councilman Kornecki.

CARRIED: AYES: -6-  
ABSENT: -1-

Hereto is a copy of said Change Order No. 2:

CHANGE ORDER NO. 2

Town of Cheektowaga, New York

SEWAGE TREATMENT PLANT NO. 5

CONTRACT 3

Contractor:

Pitt Construction Company

Engineers:

Nussbaumer, Clarke and Velzy

Description of Change:

Furnish all labor and material necessary to install 2 inch and 4 inch water lines to serve the existing primary settling tanks, the existing recirculation building, and the proposed recirculation building, to include all necessary connections, valves and fittings as shown on drawing number C-5909-1, revision 4 thereof, for the subject project.

Reason for Change:

In order to provide more adequate water pressure for proper plant operation.

Amount of Change:

The total amount of this change order is \$2,110.00.

Recommended by :

Nussbaumer, Clarke and Velzy

Per: Newell L. Nussbaumer.

Dated: 6-19-56

Approved:

Per: Town Board

Dated: Resolution 6-27-56.

24 Item No. 10 Councilman Nagel moved, seconded by Councilman Wroblewski, to adjourn.

SEAL

Kenneth T. Hanley, Town Clerk.

*Kenneth T. Hanley*