

MEETING NO. 1

Cheektowaga, New York  
January 6, 1958

Item No. 1 At an organization 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 6th day of January, 1958, at 2:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT:	Benedict T. Holtz	Supervisor
	Alancin M. Fath	Councilman
	Felix T. Wroblewski	Councilman
	Joseph Kornecki	Councilman
	Joseph M. Trojanoski	Councilman
	Stanley R. Bystrak	Councilman

ABSENT:	Joseph A. Neibert	Councilman
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Also present were: Town Clerk Kenneth T. Hanley; Town Attorney Thomas E. Delahunt; Highway Supt. John J. Zablotny; Chairman of the Zoning Board of Appeals Leo H. Kurnicki; Justice of the Peace Joseph Pyszczyński; Dog Warden Benjamin Kraska; General Foreman John Eberl; Town Engineer Albert J. Kamm; Receiver of Taxes & Assessments Edward H. Pfohl; Building Inspector Carl J. Trafalski and Chief of Police John J. Mersmann.

Item No. 2 The Chairman called the meeting to order and opened the meeting with the following speech:

"The development of needed permanent municipal improvements will be the keynote of town growth during 1958. Faced with a growing residential and industrial population, this administration's plans for the coming year cover six basic problems - Sanitary sewer, storm sewer, completion of the master plan, air-pollution regulations, recreation development and construction of a town building to house Highway Department equipment. Groundwork in all six of these areas has been laid during the last two years, and it is the sincere hope of this administration that Cheektowaga residents will realize their multiple benefits during 1958.

The Sanitary Sewer System as it serves established areas  
Plans include

- 1 - Opens new areas - of prime concern.  
Sewer District 7 was constructed in 1957, and at a cost of \$400,000 less than was anticipated. A system of laterals to serve home and industry in this vital area is the target for 1958.
- 2 - Engineering plans will soon be presented to property owners in Sewer District 8. This project will roughly be in the \$470,000 class and will, if approved, spur residential growth in the Bellvue section and industrial growth in the Broadway area. Construction costs seem to be running about 10% lower than in the past several years and so it is expected that this year will be a favorable one so far as costs of improvements are concerned.
- 3 - Residents of South Union Road, French Road, Borden Road, and Transit Road will see a joint survey made of their sewer needs, at no cost to themselves, by the Erie County Sewer Authority under Charles Spencer. This project is viewed as a joint Cheektowaga, Lancaster and West Seneca project.

Item No. 2-Contd.

Perhaps one of the most pressing needs of the northern section of the town will see solution in the coming year. Storm water drainage and the cost of such a project in the flat areas of north Cheektowaga has delayed for many years this project. An encouraging picture is now shaping up. Albert J. Kamm, Newell Nussbaumer, (Engineers) and myself have met with the State Department of Public Works on the planning of trunk storm sewers to drain surface waters east and west of the Thruway, along the Kensington Expressway route. The State will pay a substantial part of the costs. We have the rights-of-way needed and future meetings are planned. The state is now studying the engineering plans for these storm sewers which we have had on file for many years.

In connection with this storm sewer, another aspect of the problem is being pushed. The northern storm waters will drain into Scajaquada Creek. Our Town Officials have met with Representative John Pillion, and plan another meeting in Washington within the next 60 days to obtain Federal funds for the deepening, widening and straightening of this creek from its mouth in Lancaster, through Cheektowaga and into Buffalo. Representatives of all these municipalities will take part in the planning of this project for which preliminary engineering studies have already been made by the U. S. Army Corps of Engineers.

- 4 - Next to sewer improvements, the most important work we will see completed this year is the revision of the zoning ordinances and zoning map for the Town by our Town Planner, A. Russell Tryon. This revision, in the preliminary study stages for two years, will cover both established areas already zoned and future development areas. Land use maps are completed and funds are provided in the budget for the completion of the job of zoning updating and revisions, with public hearings scheduled for this spring. It is planned that the revised ordinances and maps will be printed in brochure form so that our requirements, including building codes, will be well publicized. Our aim is to differentiate between types of business and commercial and other areas to design a pattern of pleasant town co-living for various groups; development of the recreation survey suggestions as well as establishment of areas for future needs.
- 5 - Our administration plans to see through to adoption during 1958, an "Air Pollution Ordinance" with teeth. Public hearings on this project are planned for spring. Survey work has been completed this year.
- 6 - Expansion of the town recreation program, following suggestions in the planners survey, will be undertaken this year. A town swimming pool will be one of the first items for development, along with other recreation features.
- 7 - The need for a town highway garage to house the hundreds of thousands of dollars worth of equipment will be put to a referendum of the people. We plan a building comparable in size to those of our neighboring communities at a \$100,000 lower construction cost. The present building is 30 years old and entirely inadequate to protect our machinery investment. Plans are already on hand for this project.

Item No. 2 - Contd.

- 8 - Lighting districts, curb and highway improvements will be processed as special districts, according to law, as property owners petition the Town Board.

This may seem like an ambitious program for the coming year, but this year will see the completion of many projects long underway, the start of others and a continuing awareness of the ways and means which your administration may, within the framework of law and financial possibility, advance the Town of Cheektowaga in orderliness, convenience and sound business practice to its position of leadership on the Niagara Frontier.

We welcome newly-elected Councilman Alancin Fath to our team. He will find that as we become more and more mature as an administrative body, we are first attuned to the needs and wishes of the electorate and then function as a compromise body which, through study, expert advice and public hearing, can translate the will of the people into the reality of the greatest good for the greatest number of our residents."

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

RESOLVED, that the regular meetings of the Town Board of the Town of Cheektowaga, Erie County, New York, shall be held on the first Monday of each month in the afternoon at 2:30 o'clock and on the third Monday of each month at 7:30 o'clock in the evening at the Council Chamber in the Town Hall, Cheektowaga, New York, and be it further

RESOLVED, that the Supervisor may, and upon written request of two members of the Board, shall call a special meeting of the Town Board at any time by giving at least two days notice, in writing, to the other members of the Town Board of the time and place where the meeting is to be held. This resolution to take effect immediately.

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

Supervisor Holtz	Voting AYE
Councilman Fath	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE

AYES: -6- NOES: -0- ABSENT: -1-

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Item No. 4 Councilman Kornecki presented the following resolution and moved its adoption:

RESOLVED, that pursuant to law, this Board hereby designates the Manufacturers and Traders Trust Company's AIRPORT PLAZA BRANCH and THRUWAY PLAZA BRANCH as Depositories of Town Funds, and that all checks, notes and other instruments for the payment of money made or drawn, by or upon or payable to the Town, shall be signed or accepted or endorsed (other than for deposit) by the following named officer of the Town, in this manner:

BENEDICT T. HOLTZ, SUPERVISOR

and the said bank is authorized to pay such checks, notes and other instruments for the payment of money, and also to receive the same for deposit to the credit of, or in payment from any holder, including checks drawn payable to "Cash" or "Bearer" or other individual order of the office signing same, when so signed or accepted or endorsed without inquiry of any kind, whether payable to or tendered for deposit, of or in payment of the obligations of any Town Officer or Officers, or otherwise, and be it further

Item No. 4-Contd.

RESOLVED, that existing funds of the Town of Cheektowaga now on deposit in said bank in various bank accounts of the Town of Cheektowaga shall be subject to the aforesaid resolution of authority granted to Benedict T. Holtz, Supervisor.

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

Supervisor Holtz	Voting AYE
Councilman Fath	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Kornecki	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

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Item No. 5 Councilman Fath presented the following resolution and moved its adoption:

BE IT RESOLVED, that Kenneth T. Hanley be and he hereby is appointed Registrar of Vital Statistics of the Town of Cheektowaga, New York, according to Section 373, Article 22 of the Public Health Law for the term ending December 31, 1959.

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

Supervisor Holtz	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

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

BE IT RESOLVED, that Elizabeth Biniasz of Street be and she hereby is appointed Deputy Town Clerk at the annual salary of \$3,700.00 effective immediately, and be it further

RESOLVED, that the said Elizabeth Biniasz be and she hereby is appointed Deputy of Registrar of Vital Statistics.

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

Supervisor Holtz	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

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

BE IT RESOLVED, that Gertrude Nolan of be and she hereby is appointed Deputy Town Clerk at the annual salary of \$3,400.00, effective immediately.

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

Supervisor Holtz	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

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

BE IT RESOLVED, that Thomas E. Delahunt, Attorney at Law, of , Cheektowaga, New York, be and he hereby is appointed Town Attorney for the Town of Cheektowaga, New York, at an annual salary of \$9,000.00, effective immediately.

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

Supervisor Holtz	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

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Item No. 9 Councilman Trojanoski presented the following resolution and moved its adoption:

BE IT RESOLVED, that Benjamin Kraska of Street, Sloan, New York, be and he hereby is appointed Dog Warden at the annual salary of \$3,500.00 effective immediately.

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

Supervisor Holtz	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

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

BE IT RESOLVED, that Louis Leising of Cheektowaga, New York, be and he hereby is appointed Dog Warden at the annual salary of \$3,500.00, effective immediately.

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

Supervisor Holtz	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	voting AYE
Councilman Fath	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

31  
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Item No. 11 Councilman Bystrak presented the following resolution and moved its adoption:

BE IT RESOLVED, that Helen Kosin of Sloan, New York, be and she hereby is appointed Police Matron at the annual salary of \$1,400.00, to take effect immediately.

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

Supervisor Holtz	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

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Item No. 12 Councilman Wroblewski presented the following resolution and moved its adoption:

BE IT RESOLVED, that Albert J. Kamm of  
Kenmore, New York, be and he hereby is appointed Town  
Engineer of the Town of Cheektowaga, New York, at the annual salary  
of \$9,200.00, effective immediately.

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

Supervisor Holtz	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -6- NOES: -0- ABSENT: -1-

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Item No. 13 Councilman Wroblewski presented the following resolution and moved its adoption:

BE IT RESOLVED, that the following named persons be  
appointed part time employees to assist Edward H. Pfohl, Receiver of  
Taxes and Assessments in the 1958 State, County and Town tax collection  
and that their pay be fixed at the sum of Eleven (\$11.00) Dollars  
per day:

Eleanore Piacente  
Jean Stachowski  
Amelia O'Connor  
Charlotte Nawrocki  
Irene Krawczyk  
Genevieve Zalikowski

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

Supervisor Holtz	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -6- NOES: -0- ABSENT: -1-

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Item No. 14 Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, the Supervisor of the Town of Cheektowaga, New  
York, has appointed Virginia G. Stevens of  
Cheektowaga, New York, Secretary to the Supervisor.

BE IT RESOLVED, that the appointment of the Secretary  
to the Supervisor be and the same is hereby approved and confirmed,  
and be it further

RESOLVED, that the salary of the Secretary to the  
Supervisor be and the same is hereby fixed at Four Thousand Four  
Hundred Dollars (\$4,400.00) per annum, effective immediately.

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

Supervisor Holtz	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -6- NOES: -0- ABSENT: -1-

31  
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Item No. 15 Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the salaries of Town Employees and Officials for the year 1958, and thereafter, be established as follows:

Supervisor	\$8,200.00
Town Clerk	6,500.00
Town Attorney	9,000.00
Justices of the Peace (2) each	4,700.00
Councilman (6) each	4,000.00
Receiver of Taxes	6,500.00
Assessor	5,400.00
Deputy Assessor	4,700.00
Secretary Board of Assessors	4,700.00
Superintendent of Highways	7,200.00
General Foreman-Sanitation	4,600.00
Principal Clerk-Sanitation	4,400.00
Building & Plumbing Inspector	5,000.00
Assistant Building & Plumbing Inspector	4,600.00
Town Engineer	9,200.00
Assistant Engineer	5,500.00
Draftsmen (2) each	4,600.00
Senior clerk (Special Assessments)	3,650.00
Deputy Town Clerk (1st)	3,700.00
Deputy Town Clerk (2nd)	3,400.00
Telephone Operator	3,200.00
Dog Wardens (2) each	3,500.00
Attendance Officers (2) each	1,400.00
Park & Recreation Director	4,200.00
Secretary to Supervisor	4,400.00
Payroll Clerk	3,700.00
Senior Acct. Clerk (Tax Office)	3,700.00
Addressograph Operator	3,500.00
Stenographers (5) each	3,200.00
Principal Account Clk. (Highway)	4,900.00
Foreman - Incinerator	4,900.00
Asst. Foreman - Incinerator	4,800.00
Incinerator Operators (2) each	4,600.00
Sewage Disposal Plant Op-Dist 3	4,400.00
Operator Sewage Plant 3	4,500.00
Sewage Plant Operators-Dist. 5	4,400.00
Supt. of Sewage Plants	5,000.00
Chief of Police	6,700.00
Lieutenants (5) each	5,500.00
Detective Sergeants (7)	5,250.00
Patrolman (39)	5,000.00
Police Dist. & Tel. Oper. (4)	4,650.00
Auto Mechanic - Police	4,500.00
Radio Maintenance Man	1,300.00
Police Matron	1,400.00
Health Officer	4,400.00
Accounting Machine Operator	3,200.00
General Mechanic	4,900.00
Charwomen (2) per day	11.70
Working Foremen (2) Highway per Hr	2.20
Auto Mechanic - Highway " "	2.20
Motor Equipment Ops.Highway " "	2.08-1/2
Laborers - Highway " "	2.01
Laborers - Incinerator " "	2.01
Motor Equip. Ops. Sanitation " "	2.08-1/2
Laborers - Sanitation " "	2.01
Extra Clerks, per day	11.00
School Crossing Guards, per hr.	1.30
Traffic Guards	2.00
Recreation Supervisor per hr.	1.85
Park Attendants per hr.	1.60
Janitors (2)	4400.00

Item No. 15-Contd.

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

Supervisor Holtz	Voting AYE
Councilman Fath	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

31  
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Item No. 16 Councilman Kornecki presented the following resolution and moved its adoption:

RESOLVED, that the Official Bond of Benedict T. Holtz as Supervisor of the Town of Cheektowaga be fixed at the sum of \$100,000.00 and that his Official Bond for Highway Funds be fixed in the sum of \$20,000.00, and

BE IT FURTHER RESOLVED, that the Official Bond of Kenneth T. Hanley, Town Clerk, be fixed in the sum of \$5,000.00 and John J. Zablotny, Town Highway Superintendent be fixed in the sum of \$1,000.00, and

BE IT FURTHER RESOLVED, that the Official Bond of Joseph Pyszczyński, Justice of the Peace, be fixed in the sum of \$1,000.00, and

BE IT FURTHER RESOLVED, that the Town Clerk be authorized and directed to file the above mentioned Bonds in the Erie County Clerk's Office.

Seconded by Councilman Bystrak

AYES: -6-

NOES: -0-

ABSENT: -1-

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

WHEREAS, the Cheektowaga Town Board has passed a resolution determining that there shall be but one assessor in the Town of Cheektowaga, New York, on and after December 31, 1957, and

WHEREAS, it is necessary for the Town Board of the Town of Cheektowaga, New York, to appoint a Board of Review where there is but one assessor, pursuant to the provisions of Section 21 paragraph 2 of the Tax Law.

BE IT RESOLVED, that, pursuant to said provisions, the Town Board of the Town of Cheektowaga, New York, does hereby appoint to said Board of Review the Assessor, Edward B. Jerzewski; the Supervisor, Benedict T. Holtz, and Councilman Felix T. Wroblewski, which Board of Review shall possess all powers and perform all the duties of the Town Assessors in hearing and determining complaints and correcting the Assessment Rolls under the provisions of the Tax Law.

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

Supervisor Holtz	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

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9

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

WHEREAS, the Town Engineer of the Town of Cheektowaga has recommended the cleaning of the four (4) primary digesters at the Sewage Treatment Plant serving Sanitary Sewer District No. 5, in accordance with the proposed contract documents, plans, specifications and instructions to bidders prepared by Albert J. Kamm, Town Engineer of the Town of Cheektowaga, New York, and

WHEREAS, the Cheektowaga Town Board deems the aforementioned cleaning necessary.

BE IT RESOLVED, that the Town Clerk publish the annexed Notice to Contractors in the Depew Herald and Cheektowaga News, a newspaper having a general circulation in said town, 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 January 20, 1958, 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 Contractors shall be in substantially the following form:

NOTICE TO CONTRACTORS

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, Erie County, New York, will receive and consider sealed proposals on the 20th day of January, 1958, at 7:30 P.M., Eastern Standard Time in the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, for furnishing all materials, tools, equipment, together with all labor for the cleaning of four (4) digesters at the Sanitary Sewage Treatment Plant No. 5 located at 171 Central Boulevard, Town of Cheektowaga, New York, in accordance with the contract documents therefor, including plans, specifications, instructions to bidders, etc., prepared by Albert J. Kamm, Town Engineer for the Town of Cheektowaga, New York, all of which are on file with the Town Clerk at his office in the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, where the same may be examined during the usual business hours.

The Town of Cheektowaga, Erie County, New York, reserves the right to reject any or all bids, or to waive any informalities, or to make an award to other than the low bidder.

Each proposal must be accompanied by a certified check for a sum equal to five per centum (5%) of the estimated expense of the total improvement payable to the order of the Supervisor, or a bond with sufficient sureties, to be approved by the Supervisor, or a penal sum equal to five per centum (5%) of the estimated expense of the improvement, conditioned that if his proposal is accepted, he will enter into a contract for the same, and that he will execute such further security as may be required for the faithful performance of the contract.

No bidder may withdraw his bid within thirty (30) days after the date set for the opening thereof, but may withdraw same at any time prior to the scheduled time for the opening of bids.

KENNETH T. HANLEY,  
Town Clerk

Dated: January 6, 1958  
Published: January 9, 1958

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

Supervisor Holtz	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

Item No. 18-Contd Hereto attached is a copy of the Notice published in the Depew Herald-Cheektowaga News.

( Affidavit )

STATE OF NEW YORK }  
COUNTY OF ERIE } ss.:

**NOTICE TO CONTRACTORS**  
NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, Erie County, New York, will receive and consider sealed proposals on the 20th day of January, 1958, at 7:30 p.m., Eastern Standard Time in the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, for furnishing all materials, tools, equipment, together with all labor for the cleaning of four (4) manholes at the Sanitary Sewage Treatment Plant No. 5 located at 221 Central Boulevard, Town of Cheektowaga, New York, in accordance with the contract documents therefor, including plans, specifications, instructions to bidders, etc., prepared by Albert J. Kamm, Town Engineer for the Town of Cheektowaga, New York, all of which are on file with the Town Clerk at his office in the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, where the same may be examined during the usual business hours.

The Town of Cheektowaga, Erie County, New York, reserves the right to reject any or all bids, or to waive any informalities, or to make an award to other than the low bidder.

Each proposal must be accompanied by a certified check for a sum equal to five per centum (5%) of the estimated expense of the total improvement payable to the order of the Supervisor, or a bond with sufficient sureties, to be approved by the Supervisor.

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

JAN 11 1958

19.....

*Henry T. Hanley*  
Notary Public in and for Erie County

**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 ..... 1958, and the last insertion being on the ..... day of ..... 19....., and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

( Affidavit )

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STATE OF NEW YORK }  
COUNTY OF ERIE } ss.:

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

**NOTICE TO CONTRACTORS**  
NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, Erie County, New York, will receive and consider sealed proposals on the 20th day of January, 1968, at 7:30 p.m., Eastern Standard Time in the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, for furnishing all materials, equipment, together with all labor for the cleaning of four (4) manholes at the Sanitary Sewage Treatment Plant No. 5 located at 171 Central Boulevard, Town of Cheektowaga, New York, in accordance with the contract documents therefor, including plans, specifications, instructions to bidders, etc., prepared by Albert J. Kanan, Town Engineer for the Town of Cheektowaga, New York, all of which are on file with the Town Clerk at his office in the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, where the same may be examined during the usual business hours.

The Town of Cheektowaga, Erie County, New York, reserves the right to reject any or all bids, or to waive any informalities, or to make an award to other than the low bidder.

Each proposal must be accompanied by a certified check for a sum equal to five per centum (5%) of the estimated expense of the improvement payable to the order of the Supervisor, or a bond with sufficient sureties, to be approved by the Supervisor, or a sum equal to five per centum of the estimated expense of the improvement, conditioned that if the 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 bidder may withdraw his bid within thirty (30) days after the date set for the opening thereof, or may withdraw same at any time prior to the scheduled time for the opening of bids.

Dated: January 6, 1968

KENNETH T. HANLEY,  
Town Clerk

Item No. 19 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 18th day of November, 1957.

#### PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
Dennis Lane	Joanne Lane	1312 feet north

#### TYPE OF STREET LIGHTING INSTALLATION

8 Y 19 standards-under ground conduit 2500 lumens

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

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

NOW, THEREFORE, IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 20th day of January, 1958, 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 of the Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing aforesaid and that copies of this order be posted conspicuously in five public places on each of the said highways to be improved not less than ten (10) nor more than twenty (20) days before the day designated for the hearing as aforesaid.

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

Supervisor Holtz	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

Posted as follows on the 10th day of January 1958;

- 1- Post at the corner of Dennis Lane and Joanne Lane;
- 2- Post in front of No. 4 Dennis Lane;
- 3- Post in front of No. 6 Dennis Lane;
- 4- Post in front of No. 7 Dennis Lane;
- 5- Post in front of No. 10 Dennis Lane.

Item No. 19-Contd      Hereto attached is a copy of the Notice  
published in the Depew Herald-Cheektowaga News;

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( Affidavit )

17  
27

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

...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.

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

Supervisor Holtz, voting Aye.  
Councilman Fath, voting Aye  
Councilman Wroblewski, voting Aye  
Councilman Kornecki, voting Aye  
Councilman Trojanoski, voting Aye  
Councilman Bystrak, 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 in my office, and which was passed

at a meeting of the Town Board of Cheektowaga, held on the 11th day of January, 1958, and which was duly recorded in the minutes of said meeting.

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

..... 9th day of ..... January, 1958, and

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

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

more than six days intervened between any two publications thereof

Richard G. Bennett

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

JAN 11 1958

19.

Kenneth T. Hanley  
Notary Public in and for Erie County



STATE OF NEW YORK  
COUNTY OF ERIE

LEGAL NOTICE

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, in said Town of Cheektowaga, on the 6th day of January, 1958, at 2:30 o'clock P.M., Eastern Standard Time, there were:

Richard G. Bennett, Supervisor  
Alvin M. Fath, Councilman  
John T. Wroblewski, Councilman  
John Kornecki, Councilman  
Joseph M. Trojanoski, Councilman  
Stanley R. Bystrak, Councilman

PRESENT:  
Richard A. Neibert, Councilman  
Stanley R. Bystrak offered the following resolution and moved its adoption:

WHEREAS, a petition for the improvement of both sides of the highways situated in Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth, by the installation of street lighting equipment and hereinafter particularly defined was presented to this Town Board on the 18th day of November, 1957.

PUBLIC HIGHWAYS TO BE IMPROVED  
From Joanne Lane to West north.

STREET LIGHTING INSTALLATION  
To standards — under ground — 2500 lumens  
EDWARD B. JEROME AND ANDREW H. WENK 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 to be recorded by the Town of more than one-half of the frontage or bounds on each of said high roads to be improved, as aforesaid.

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

THEREFORE, IT IS ORDERED that the Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 18th day of January, 1958, at 2:30 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 and 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 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.

Witness my hand and seal of said Town this 6th day of January 1958, and duly put to a vote which resulted as follows:  
Supervisor Holtz, voting Aye.  
Councilman Fath, voting Aye  
Councilman Wroblewski, voting Aye  
Councilman Kornecki, voting Aye  
Councilman Trojanoski, voting Aye  
Councilman Bystrak, 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 6th day of January 1958, 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 6th day of January 1958.  
KENNETH T. HANLEY  
Clerk of the Town Board,  
Town of Cheektowaga, N.Y.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

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

WHEREAS, the Chief of Police has notified the Town Board that two (2) police cars are in a bad state of repair and should be replaced with new police cars to meet the specifications referred to in the annexed Notice to Bidders.

BE IT RESOLVED, that his request be granted and that the Town Clerk be directed to publish the annexed Notice to Bidders in connection with the purchase of said police automobiles, and be it further

RESOLVED, that the Town Clerk publish the annexed Notice to Bidders in the DEPEW HERALD AND CHEEKTOWAGA NEWS, a newspaper having a general circulation in the township, at least five (5) days prior to the receipt of bids. That sealed bids be received not later than 7:30 o'clock P.M., on January 20, 1958, 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 separate sealed bids for the purchase of two (2) police automobiles, 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.

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., Eastern Standard Time, on the 20th day of January, 1958, 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: January 6th, 1958

KENNETH T. HANLEY  
Town Clerk

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

Supervisor Holtz	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

POLICE DEPARTMENT  
SPECIFICATIONS FOR CARS

Car : Two-Door Sedan DeLuxe Type  
Make : To be decided by the Town Board  
Amount : Two (2) cars only  
Color : Solid  
Horsepower : 250 Minimum  
Generator : Low cut-in for Police Work  
Transmission : Automatic Type  
Brakes : Hydraulic - 11" Diam. Heavy Duty  
Rear springs : Heavy Duty  
Tires : 750 x 14 - 6 ply black  
Equipment : Directional lights; arm rests; right hand visor;  
oil filter; oil bath air cleaner.  
Spot Light : Right hand only  
Heater and  
Defroster : Fresh air, air-flo type  
Upholstering : Vinyl Type Plastic, and/or equivalent  
(bidder specify)  
Windshield  
Wipers : Electric  
Lettering : As specified by the Chief of Police

The bids will be submitted for two (2) cars only. All bids must be itemized.

Cars #1 and #4 (as numbered by the Police Department) will be traded in in the condition that they will be found by the bidders.

Cars must 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 cars to be traded in can be seen by any bidder at the Police Garage at any reasonable hour after the bid proposal is released.

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



Item No. 21 This being the time and place advertised for a public hearing on the proposed improvement of that portion of the east side of Union Road extending from Redleaf Lane south, a distance of approximately three hundred forty (340) feet, by the construction of a lateral sewer in said portion of said highway, to serve properties on the east side of said portion of said highway to be so improved, the Supervisor directed the Town Clerk to present proof of the publication and posting of the certified copy of the order and resolution calling for such hearing. The Town clerk presented proof that such certified copy of the order and resolution had been duly published and posted as required by law, and upon the order of the Supervisor, such proof was duly filed.

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

Councilman Kornecki presented the following resolution and moved its adoption:

WHEREAS, a written petition was duly filed with this Board, requesting the improvement of that portion of the east side of Union Road extending from Redleaf Lane south, a distance of approximately three hundred forty (340) feet, by the construction of a lateral sewer in said portion of said highway, to serve properties on the east side of said portion of said highway to be so improved, and

WHEREAS, said petition was duly signed by owners of real estate fronting or abutting on the east side of said portion of Union Road to be improved as aforesaid, owning at least one-half of the frontage on the east side of that portion of Union Road to be improved as aforesaid, and has been signed by resident owners residing along said portion of the east side of Union Road to be so improved, owning not less than one-half of the aggregate frontage owned by resident owners, and

WHEREAS, said petition was duly acknowledged or proved as to each signer in the same manner as required of a deed to be recorded, and is otherwise sufficient, and

WHEREAS, at a meeting of the Town Board duly held on the 16th day of December, 1957, an order was duly adopted by it and entered in its minutes, reciting the filing of such petition, the improvement proposed and the maximum amount proposed to be expended for the improvement as stated in the petition, to wit: the sum of Two Thousand Six Hundred Dollars (\$2,600.00), and specifying that the said Town Board would meet to consider the petition and to hear all persons interested in the subject thereof concerning the same, at the Town Hall in the Town of Cheektowaga, New York, on the 6th day of January, 1958, at 2:30 o'clock P.M., Eastern Standard Time, and

WHEREAS, the said order, duly certified by the Town Clerk, was duly published and posted as required by law, and

WHEREAS, a hearing was held by this Board at the place and on the date and at the time hereinbefore mentioned, and at such time and place the said Town Board did duly consider the said petition and hear all persons interested,

NOW, THEREFORE, after such hearing and upon the evidence given thereat and pursuant to the provisions of the Town Law of the State of New York, it is hereby

RESOLVED, that this Board determine that it is in the public interest to make the improvement petitioned for, to wit: the construction of a lateral sewer in that portion of the east side of Union Road extending from Redleaf Lane south, a distance of approximately three hundred forty (340) feet, to serve properties on the east side of said portion of said highway to be so improved, and it is further

RESOLVED, that Nussbaumer, Clarke & Velzy, Consulting Engineers of the Town of Cheektowaga, shall survey said portion of the east side of said highway proposed to be improved, and establish the lines and grades thereof, and file in the Town Clerk's Office, a survey and profile of said portion of the east side of said highway, and be it further

Item No. 21-Contd. RESOLVED, that said Nussbaumer, Clarke & Velzy, Consulting Engineers, shall prepare definite plans and specifications and make a careful estimate of the expense, and with the assistance of the Town Attorney, shall prepare a proposed contract for the execution of the work, and that such plans and specifications, estimate and proposed contract shall be presented to this Board as soon as reasonably possible.

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

Supervisor Holtz	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Fath	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Trojanoski	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

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24

Item No. 22 Councilman Kornecki presented the following resolution and moved its adoption:

BOND RESOLUTION DATED JANUARY 6, 1958, AUTHORIZING THE ISSUANCE OF \$2,600 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 \$2,600, 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 the east side of Union Road extending from Redleaf Lane south, a distance of approximately three hundred forty (340) feet, to serve properties on the east side of said portion of said highway to be so improved, in accordance with a resolution adopted by the Town Board of said Town of Cheektowaga on the 6th day of January, 1958.

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



## Item No. 22-Contd.

Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board, is \$2,600 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 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 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 resolution 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 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, A newspaper published and having a general circulation in the Township.

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

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

Supervisor Holtz	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Fath	Voting AYE
Councilman Trojanoski	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

Councilman Kornecki presented the following resolution and moved its adoption:

BOND ANTICIPATION NOTE RESOLUTION, DATED JANUARY 6, 1958, AUTHORIZING THE ISSUANCE OF \$2,600 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 Town Board of the Town of Cheektowaga, in the County of Erie, shall issue its bond anticipation notes of the aggregate principal amount of \$2,600, 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 the east side of Union Road extending from Redleaf Lane south, a distance of approximately three hundred forty (340) feet, to serve properties on the east side of said portion of said highway to be so improved, in anticipation of the sale of \$2,600 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 January 6, 1958.

## Item No. 22-Contd.

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 their resolution shall mature within one year from the date of their issuance.

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 percent (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 such 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 Trojanoski and duly put to a vote, which resulted as follows:

Supervisor Holtz	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Fath	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Trojanoski	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

of the Notice published in the  
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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 resolution 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 in the Town Clerk of said Town or with a notice in substance as follows:

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 9th day of January, 1958, and the last insertion being on the ..... day of ....., 19....., and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

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

JAN 11 1958

19

*Kurt J. Hanley*  
 Notary Public in and for Erie County

ose For  
 Pool

trustee-emeritus.  
 trustees and Arthur Stutzman  
 He has asked seven local people  
 already begun, he said.  
 cept for advice. The respondent has  
 one for witness. The respondent has

this resolution, and to sell and deliver such 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 Trojanoski and duly put to a vote, which resulted as follows:

Supervisor Holtz	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Fath	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Trojanoski	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

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

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COUNTY OF ERIE

**LEGAL NOTICE**  
**BOND RESOLUTION DATED**  
**JANUARY 6, 1958, AUTHORIZ-**  
**ING THE ISSUANCE OF \$2,600**  
**SERIAL BONDS OF THE TOWN**  
**OF CHEEKTOWAGA, IN THE**  
**COUNTY OF ERIE, PURSUANT**  
**TO THE LOCAL FINANCE LAW,**  
**TO FINANCE THE CONSTRU-**  
**CTION OF A LATERAL SEWER.**

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

WHEREAS, Sewer District No. 1, hereinafter referred to, as a district of the Town of Cheektowaga, in the County of Erie, duly established by the Town of said Town, pursuant to the provisions of the Town Law of New York, and said Sewer District has constructed and now maintains a 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 the main system of sewers and to be entirely within said District, and the purpose hereinafter described is a special improvement authorized by said Article 12;

THEREFORE,  
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 Serial Bonds of the aggregate principal amount of \$2,600, 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 the east side of Union Road extending from Redleaf Lane a distance of approximately three hundred forty (340) feet, to the properties on the east side of said highway to be approved, in accordance with a resolution adopted by the Town Board of said Town of Cheektowaga on the 6th day of January, 1958.

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 within the Town Board shall determine and specify to be especially benefited by such improvement. An amount sufficient to pay the principal of and interest on said Serial Bonds as the same shall become due, shall be annually assessed and assessed upon the several lots and parcels of land especially benefited by such improvement in proportion to the amount of benefit which the improvement shall confer upon the same, in accordance with Subdivision 2 of Section 231 of the Town Law of New York.

Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board, is \$2,600 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 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 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 resolution 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 in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the CHEEKTOWAGA HERALD AND CHEEKTOWAGA NEWS, a newspaper published and 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 6th day of January, 1958, and

Item No. 22-Contd.

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 their resolution shall mature within one year from the date of their issuance.

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 percent (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 such 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 Trojanoski and duly put to a vote, which resulted as follows:

Supervisor Holtz	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Fath	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Trojanoski	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

of the Notice published in the

12  
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Section 1. 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 resolution 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 2. 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, a newspaper published and having a general circulation in the Township.

Section 3. This resolution shall take effect immediately upon its adoption.

The bond resolution published herewith has been adopted on the 6th day of January, 1958, and the validity of the obligation 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

ja9

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

Item No. 23 Moved by Councilman Wroblewski, seconded by Councilman Trojanoski, that the Town Board designate who is to attend the Annual Meeting of the Association of Towns in New York City on February 10th to 12th, 1958.

34  
42

Item No. 24 Communication read from the Depew Herald and Cheektowaga News relating to the printing of Legal Notices for the year 1958 and 1959, ordered referred to the Town Board.

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Item No. 25 Moved by Councilman Fath, seconded by Councilman Kornecki, to adjourn until 5:30 P.M., on January 9, 1958.

SEAL

Kenneth T. Hanley  
Town Clerk

*Kenneth T. Hanley*

MEETING NO. 2Cheektowaga, New York  
January 9, 1958

Item No. 1 At a regular adjourned 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 9th day of January, 1958, at 5:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT:	Benedict T. Holtz	Supervisor
	Alancin Fath	Councilman
	Felix T. Wroblewski	Councilman
	Joseph Kornecki	Councilman
	Joseph M. Trojanoski	Councilman
	Stanley R. Bystrak	Councilman

ABSENT:	Joseph A. Neibert	Councilman
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Also present were: Town Clerk Hanley; Town Attorney Delahunt; Highway Supt. Zablotny, and Chief of Police Mersmann.

Item No. 2 Communication read from the Maryvale School System relating to the highway known as Buffalo Depew Boulevard, leading from Dick Road to the school property off George Urban Blvd. Ordered referred to the Highway Department.

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Item No. 3 Communication read from the Erie County Highway Department advising the Board that by virtue of provisions of Section 115-B of the Highway Law, the future maintenance of that part of Dick Road, running from Walden Avenue to Broadway, which part of Dick Road crosses the New York Central Railroad Tracks, this part of the highway resolves itself upon the municipality in which the road is located. Ordered referred to the Highway Supt.

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Item No. 4 Communication read from the Erie County Highway Superintendent relating to an actuated traffic signal light at the intersection of Kensington Avenue and Kenview Boulevard. Ordered referred to Councilmen Wroblewski and Trojanoski.

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Item No. 5 The request of Dr. Louis Vendetti, Town Health Officer, to attend the Bar Association Convention in New York City on January 29 and 30, was ordered referred to the Finance Committee.

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Item No. 6 Petition to change the name of Park Street to Ursa Place ordered referred to the Assessors for a property check.

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32

Item No. 7 Moved by Councilman Wroblewski, seconded by Councilman Kornecki, that the request of the Town Engineer and his Assistant, Frank Lunz, be authorized and directed to attend the 30th Annual Meeting of the N.Y. Sewage & Industrial Wastes Association at New York City on January 23 and 24, be granted.

FURTHER RESOLVED, that the Town Engineer is not authorized to attend the Annual Association of Towns Meeting in New York City on February 10, 11 and 12.

36  
31  
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AYES: -6-

NOES: -0-

ABSENT: -1-

Item No. 8 Moved by Councilman Wroblewski, seconded by Councilman Trojanoski, that the Town Attorney be authorized and directed to attend the Municipal Law Section of the N. Y. State Bar Association in New York City on January 30 and 31, 1958.

33  
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AYES: -6-

NOES: -0-

ABSENT: -1-



Item No. 9 Councilman Kornecki presented the following resolution and moved its adoption:

WHEREAS, emergency sewer repairs were required on Kaufman Road in Sanitary Sewer District No. 5, and

WHEREAS, the Town Engineer has approved the voucher of Straco, Inc., in the amount of \$1,492.52.

BE IT RESOLVED, that the voucher of Straco, Inc., be approved and ordered paid.

Seconded by Councilman Trojanoski.

AYES: -6-

NOES: -0-

ABSENT: -1-

6  
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Item No. 10 Councilman Trojanoski presented the following resolution and moved its adoption:

BE IT RESOLVED, that Nussbaumer, Clarke and Velzy, Consulting Engineers for the Town of Cheektowaga, New York, be and they hereby are authorized and directed to prepare the necessary plans and specifications and submit estimates of the cost for the proposed Sanitary Sewer District No. 8, at the earliest date possible.

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

Supervisor Holtz	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

1  
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Item No. 11 Councilman Trojanoski presented the following resolution and moved its adoption:

WHEREAS, this Town Board has heretofore determined it to be in the public interest to improve the following highways, by the construction of lateral sewers, together with all other appurtenant work in accordance with the contract documents, so as to benefit the property owners on the hereinafter described highways:

Smallwood Terrace - That portion of Smallwood Terrace extending from Broad Street, north approximately 765 feet to the south lot line of Subdivision Lots Nos. 147 and 148, both sides.

Buell Avenue - both sides - that portion of Buell Avenue extending from Genesee Street south approximately 630 feet and that portion of Genesee Street extending from Buell Avenue east approximately 715 feet, south side.

Dick Road - That portion of Dick Road on the west side of said Dick Road, from the center line of Buffalo-Depew Boulevard, proceeding northwesterly along the west side of Dick Road a distance of 110 feet.

and

WHEREAS, this Board has heretofore directed Nussbaumer, Clarke and Velzy, Consulting Engineers of 327 Franklin Street, Buffalo, 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 the Town Board and approved.

Item No. 11-Contd. 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 the aforementioned highways in accordance with the said plans, specifications, estimate and proposed contract heretofore approved, by the publication of a notice thereof at least once in the Depew Herald and Cheektowaga News, a newspaper having a general circulation in said 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 for a sum equal to Five per centum (5%) of the estimated expense of the total improvement payable to the order of the Supervisor, or a bond with sufficient sureties, to be approved by the Supervisor, or a penal sum equal to five per centum (5%) of the estimated expense of the improvement, conditioned that if his proposal is accepted, he will enter into a contract for the same, and that he will execute such further security as may be required for the faithful performance of the contract; and be it further

RESOLVED, that sealed proposals be received and considered publicly at a meeting of the Town Board of the Town of Cheektowaga at the Town Hall, corner of Broadway and Union Road in the said Town of Cheektowaga, New York, on the 3rd day of February, 1958, at 2:30 o'clock P.M., Eastern Standard Time, and be it further

RESOLVED, that each bidder shall have the right and privilege to bid separately on each of the highways to be improved, 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 Cheektowaga, Erie County, New York, sealed proposals will be received and considered by said Town Board on the 3rd day of February, 1958, at 2:30 p.m. EDT, in the Town Hall, Broadway at Union Road, Cheektowaga, New York for furnishing all materials, tools, equipment, and together with all labor for the construction of approximately 786 lineal feet of 8-inch diameter pipe on Smallwood Terrace in Sanitary Sewer District No. 5; 630 lineal feet of 8-inch diameter pipe on Buell Avenue; 720 lineal feet of 8-inch pipe on Genesee Street; 575 lineal feet of 10-inch diameter pipe and 720 lineal feet of 8-inch diameter pipe on Dick Road in Sanitary Sewer District No. 7, Town of Cheektowaga, Erie County, New York, including manholes, wye branches, riser pipes and other appurtenant work in accordance with the contract documents therefore, including plans, specifications, instructions to bidders, etc., prepared by Nussbaumer, Clarke & Velzy, Consulting Engineers of the Town of Cheektowaga, New York, and approved by the Town Board, all of which are on file with the Town Clerk at his office in the Town Hall, Broadway at Union Road, Cheektowaga, New York where the same may be examined during the usual business hours.

Copies of the proposed contract documents, plans, specifications and instructions to bidders may also be examined at the office of Nussbaumer, Clarke & Velzy, Consulting Engineers, 327 Franklin Street, Buffalo 2, New York. One copy of said proposed document may be obtained upon payment of \$30.00. Any bidder, upon returning such plans and contract documents in good condition, within twenty (20) days following the taking of bids will be refunded the full amount of his deposit; non-bidders will similarly be refunded only one-half the deposit.

The Town of Cheektowaga, Erie County, New York, reserves the right to reject any or all bids, or to waive any informalities, or to make an award to other than the low bidder.

STATE OF NEW YORK  
COUNTY OF ERIE

**NOTICE TO CONTRACTORS**  
NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of Cheektowaga, Erie County, New York, sealed proposals will be received and considered by said Town Board on the 3rd day of February, 1958, at 2:30 p.m. in the Town Hall, Broadway and Union Road, Cheektowaga, New York, for furnishing all materials, tools, equipment, and together with labor for the construction of approximately 786 lineal feet of 8-inch diameter pipe on Smallwood Avenue in Sanitary Sewer District No. 1; 486 lineal feet of 8-inch diameter pipe on Buell Avenue; 720 lineal feet of 8-inch diameter pipe on the Supervisor's lot. Any contractor desiring to bid must deposit with the Supervisor, or a person designated by the Supervisor, or a person designated by the Supervisor, a sum of five per centum of the estimated expense of the work, conditioned that if the bid is accepted, he will execute a contract for the same, and that he will execute such further security as may be required for the faithful performance of the work. Any contractor may withdraw his bid at any time prior to the opening thereof, but may withdraw same at any time prior to the scheduled time for the opening of bids.  
Dated January 7, 1958.  
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 16th day of January, 1958, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

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

JAN 18 1958

19

*Kenneth T. Hanley*

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 Cheektowaga, Erie County, New York, sealed proposals will be received and considered by the Town Board on the 3rd day of February, 1958, at 2:30 p.m. at the Town Hall, Broadway and Union Road, Cheektowaga, New York, for furnishing all materials, labor, and together with the construction of approximately 700 lineal feet of 8-inch diameter pipe on Smallwood Road in Sanitary Sewer District No. 1; 720 lineal feet of 8-inch diameter pipe on Buell Avenue; 720 lineal feet of 8-inch pipe of Genesee Street; 575 lineal feet of 10-inch diameter pipe and 720 lineal feet of 8-inch diameter pipe on Union Road in Sanitary Sewer District No. 2, Town of Cheektowaga, Erie County, New York, including manholes, pipe branches, riser pipes and other appurtenant work in accordance with the contract documents therefor, including specifications, instructions to bidders, etc., prepared by Nussle, Clarke & Vehey, Consulting Engineers of the Town of Cheektowaga, New York, and approved by the Town Board, all of which are on file with the Town Clerk at his office in the Town Hall, Broadway at Union Road, Cheektowaga, New York where the same may be examined during the business hours.

Plans of the proposed contract work, plans, specifications, instructions to bidders may also be examined at the office of Nussle, Clarke & Vehey, Consulting Engineers, 327 Franklin Street, Buffalo 2, New York. One dollar for each proposed document will be retained upon payment of deposit by any bidder, upon returning the same and contract documents in good condition, within twenty days following the taking of bids. The full amount of his deposit; non-bidders' deposits will be refunded only if the deposit.

The Town of Cheektowaga, Erie County, New York, reserves the right to reject any or all bids, or to waive any informalities, or to make an award to other than the bidder.

Each proposal must be accompanied by a certified check for a sum equal to five per centum (5%) of the estimated expense of the improvement payable to the order of the Supervisor, or a bond with sufficient sureties, to be approved by the Supervisor, or a sum equal to five per centum of the estimated expense of the improvement, conditioned that if the 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 bidder may withdraw his bid within sixty (60) days after the date set for the opening thereof, but may withdraw same at any time prior to the scheduled time for the opening of bids.

Dated: January 7, 1958.

KENNETH T. HANLEY,  
Town Clerk

RICHARD G. BENNETT

Item No. 11-Contd. Each proposal must be accompanied by a certified check for a sum equal to five per centum (5%) of the estimated expense of the total improvement payable to the order of the Supervisor, or a bond with sufficient sureties, to be approved by the Supervisor, or a penal sum equal to five per centum (5%) of the estimated expense of the improvement, conditioned that if his proposal is accepted, he will enter into a contract for the same, and that he will execute such further security as may be required for the faithful performance of the contract.

No bidder may withdraw his bid within sixty (60) days after the date set for the opening thereof, but may withdraw same at any time prior to the scheduled time for the opening of bids.

KENNETH T. HANLEY  
Town Clerk

Date: January 9, 1958

Published: January 16, 1958

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

Supervisor Holtz	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

24

Item No. 12 Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the Supervisor be and he is herewith authorized to purchase from Westinghouse Electric Corporation twelve (12) Design "1348" Lighting standards to be used for emergency installations to replace light standards knocked down by a person or persons unknown, the cost to be charged against the General Lighting District.

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

Supervisor Holtz	Voting AYE
Councilman Fath	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

27

Item No. 13 Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, the Erie County Highway Department has approved the installation of a hand actuated traffic signal at the entrance to the Maryvale High School on Maryvale Drive.

BE IT RESOLVED, that the Supervisor be and he hereby is authorized to contract for the installation of said traffic signal and to make payments for same, and be it further

RESOLVED, that the Town Clerk be and he hereby is authorized to submit a certified copy of this resolution to the Erie County Highway Department.

Item No. 13-Contd. Seconded by Councilman Trojanoski and duly put to a vote, which resulted as follows:

Supervisor Holtz	Voting AYE
Councilman Neibert	Absent
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

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Item No. 14 Councilman Kornecki moved, seconded by Councilman Trojanoski, 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. 1 to No. 140, inclusive, drawn on the Supervisor.

AYES: -6-

NOES: -0-

ABSENT: -1-

6

Item No. 15 Moved by Councilman Wroblewski, seconded by Councilman Trojanoski, that the Town Clerk be authorized and directed to issue all building permit applications processed by the Petitions Committee on January 4, 1958, after same have been approved by the Building Inspector.

AYES: -6-

NOES: -0-

ABSENT: -1-

15  
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Item No. 16 The following resolution was offered by Councilman Wroblewski who moved its adoption, seconded by Councilman Trojanoski, to wit:

CAPITAL NOTE RESOLUTION, DATED JANUARY 9, 1958,  
AUTHORIZING THE ISSUANCE OF \$4,701.30 CAPITAL NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE ACQUISITION OF HIGHWAY MACHINERY.

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 Capital Notes of the aggregate principal amount of \$4,701.30 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 by the issuance of such Capital Notes is the acquisition of machinery or apparatus for highway construction or maintenance, and consists of the purchase of two (2) cinder and salt distributors, at a maximum cost of \$4,701.30.

Section 3. It is hereby stated that (a) the maximum cost of said purpose as estimated by the Town Board is \$4,701.30 (the maximum cost of each distributor and its equipment is \$2,350.65) and (b) no money has heretofore been authorized to be applied to the payment of the cost of such purpose, and (c) the Town Board plans to finance the cost of said purchase entirely from funds raised by the issuance of said Capital Notes.

Section 4. It is hereby determined that said purpose is an object or purpose described in Subdivision 28 of Paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five years.

Section 5. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of five years.



Item No. 16 (Contd.) 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, a newspaper published and having a general circulation in said Town. 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 publication of this resolution 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 were authorized in violation of the provisions of the Constitution of New York.

Section 7. This resolution shall take effect immediately upon its adoption.

The resolution was duly adopted, the vote being as follows:

Supervisor Holtz	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Fath	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the Capital Note Resolution hereinafter referred to has taken effect in accordance with law and the Town Board desires to make provision for the issuance of the notes authorized by said Capital Note Resolution; NOW, THEREFORE,

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

(1) Capital Notes of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$4,701.30 shall be issued pursuant to the Capital Note Resolution entitled "Capital Note Resolution, Dated January 9, 1958, Authorizing the Issuance of \$4,701.30 Capital Notes of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law, to Finance the Acquisition of Highway Machinery." Said Capital Notes shall be designated "Highway Machinery Capital Notes, Series A of 1958". Said Capital Notes shall consist of two notes of the denomination of \$2,350.65 each, numbered 1 & 2, in the order of their maturity and shall constitute an issue of capital Notes payable in annual installments on April 1 in each of the years 1959 and 1960.

(2) All of said Capital Notes shall be dated as of a date subsequent to January 1, 1958 and shall bear interest from their date at the rate of 3% per annum. The interest on the Capital Notes shall be payable on April 1, 1958 and thereafter on each April 1 and October 1.

(3) Both principal of and interest on said Capital Notes shall be payable at the Manufacturers and Traders Trust Company of Buffalo, in Buffalo, New York, in any coin or currency of the of the United States of America which at the time of payment is legal tender for the payment of public and private debts.

(4) Each of said Capital Notes shall be payable to bearer and shall be convertible into a registered Capital Note. Each of said Capital Notes shall be executed by the Town Supervisor of said Town and shall be attested by the Town Clerk of said Town. Each of said Capital Notes shall be sealed with the seal of said Town.

Item No. 16-Contd.

(5) The power to prescribe the terms, form and contents of said Capital Notes, subject to the provisions of this resolution are hereby delegated to the Town Supervisor. Said Capital Notes shall be sold to the Manufacturers and Traders Trust Company of Buffalo, New York, at private sale, and shall bear an interest rate of 3% per annum.

(6) The faith and credit of the Town are hereby pledged to the payment of said Notes and the interest thereon as the same become due and payable.

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

Supervisor Holtz	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Fath	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

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

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STATE OF NEW YORK }  
COUNTY OF ERIE } ss.:

**CAPITAL NOTE RESOLUTION**  
DATED JANUARY 16, 1951, AUTHORIZING THE ISSUANCE OF \$4,761.30 CAPITAL NOTES OF THE

Resolution. This resolution shall take effect immediately upon its adoption.

The Capital Note Resolution published herewith has been adopted on the 9th day of January, 1958, 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**  
Treas. Clerk of the 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 ..... 16th day of ..... January ..... 1951, and the last insertion being on the ..... day of ..... 19....., and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

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

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

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

resolution are hereby delegated to the Town Supervisor. Said Capital Notes shall be sold to the Manufacturers and Traders Trust Company of Buffalo, New York, at private sale, and shall bear an interest rate of 3% per annum.

(6) The faith and credit of the Town are hereby pledged to the payment of said Notes and the interest thereon as the same become due and payable.

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

Supervisor Holtz	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Fath	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

Hereto attached is a copy of the ~~Notes~~ published in the Depew Herald-Cheektowaga News: 12  
13

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

**CAPITAL NOTE RESOLUTION,**  
DATED JANUARY 9, 1958, AUTH-  
ORIZING THE ISSUANCE OF \$4,  
701.30 CAPITAL NOTES OF THE  
TOWN OF CHEEKTOWAGA, IN  
THE COUNTY OF ERIE, PUR-  
SUANT TO THE LOCAL FINANCE  
LAW, TO FINANCE THE ACQUI-  
SITION OF HIGHWAY MACHIN-  
ERY.

BE IT RESOLVED by the Town  
Board of the Town of Cheektowaga,  
in the County of Erie, as follows:  
Section 1. The Town of Cheek-  
towaga, in the County of Erie,  
shall issue its Capital Notes of the  
aggregate principal amount of \$4,  
701.30 pursuant to the Local Fi-  
nance Law of New York, in order  
to finance the specific purpose  
hereinafter described.

Section 2. The specific purpose  
hereinafter referred to as "pur-  
pose" to be financed by the issue  
of such Capital Notes is the  
acquisition of machinery or appara-  
tus for highway construction or  
maintenance, and consists of the  
purchase of two (2) cinder and salt  
spreaders, at a maximum cost of  
\$4,701.30.

Section 3. It is hereby stated  
that the maximum cost of said  
purpose as estimated by the Town  
Board is \$4,701.30 (the maximum  
cost of each Distributor and its  
equipment is \$2,350.65) and (b) no  
such purchase has heretofore been author-  
ized to be applied to the payment  
of the cost of such purpose, and (c)  
the Town Board plans to finance  
the cost of said purchase entirely  
out of the proceeds raised by the issuance  
of such Capital Notes.

Section 4. It is hereby deter-  
mined that said purpose is an ob-  
ject or purpose described in Sub-  
section 30 of Paragraph 4 of Sec-  
tion 11.00 of the Local Finance  
Law, and that the period of prob-  
ability of said purpose is  
not less than five years.

Section 5. It is hereby deter-  
mined that the proposed maturity  
of such Capital Notes authorized by  
this Resolution will not be in ex-  
cess of five years.

Section 6. This resolution shall  
be published in full by the Town  
Board of said Town, together with  
a notice in substantially the form  
prescribed by Section 81.00 of said  
Local Finance Law, and such pub-  
lication shall be in the DEPEW  
HERALD AND CHEEKTOWAGA  
NEWS, a newspaper published and  
having a general circulation in said  
Town. 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 publication of this reso-  
lution were not substantially com-  
plied with, and an action, suit or  
proceeding contesting such validity  
is commenced within twenty days  
after the date of such publication;  
or if said obligations were author-  
ized in violation of the provisions  
of the Constitution of New York.

Section 7. This resolution shall  
take effect immediately upon its  
adoption.

The Capital Note Resolution pub-  
lished herewith has been adopted  
on the 9th day of January, 1958,  
and the validity of the obligations  
authorized by such capital note  
resolution may be hereafter con-  
tested only if such obligations were  
authorized for an object or pur-  
pose for which the Town of Cheek-  
towaga, 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 com-  
plied 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  
jal

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

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WHEREAS, after proper advertising for the purchase of five (5) police automobiles, in accordance with certain plans and specifications, bids were submitted as follows:

Suor-Keller Chevrolet Inc., (Chevrolets)	\$8,520.00
Zapfel Bros. Inc., (Studebakers)	7,220.00
Richard Ford Inc., (Fords)	5,900.00

BE IT RESOLVED, that the bids of Suor Keller Chevrolet Inc., in the amount of \$8,520.00 be and the same hereby is accepted and that the Supervisor be and he hereby is authorized to contract for the purchase and to make payment accordingly.

Seconded by Councilman Kornecki.

Councilman Bystrak presented the following amendment to the above resolution and moved its adoption:

BE IT RESOLVED, that the bid of Richard Ford Inc., in the amount of \$5,900.00 be accepted and that the Supervisor be authorized to contract for the purchase accordingly, and make payment for same.

Seconded by Supervisor Holtz and duly put to a vote which resulted as follows:

Supervisor Holtz	Voting AYE
Councilman Wroblewski	Voting NAYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting NAYE
Councilman Kornecki	Voting NAYE
Councilman Fath	Voting NAYE

AYES: -2- NOES: -4- ABSENT: -1- MOTION LOST.

The vote of the original resolution for the purchase of five (5) Chevrolet Automobiles from Suor Keller Chevrolet Inc., in the amount of \$8,520.00, resulted as follows:

Supervisor Holtz	Voting NAYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting NAYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -4- NAYES: -2- ABSENT: -1- CARRIED

Item No. 18 The complaint of Milton Lunz relating to the size of gasoline price signs at filling stations was referred to the Chief of Police.

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Item No. 19 Moved by Councilman Fath, seconded by Councilman Bystrak, to adjourn.

SEAL

Kenneth T. Hanley, Town Clerk.

*Kenneth T. Hanley*

MEETING NO. 3Cheektowaga, New York  
January 20, 1958

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 20th day of January, 1958, at 7:30 o'clock P.M., E.S.T., there were:

PRESENT:	Felix T. Wroblewski	Councilman
	Alancin M. Fath	Councilman
	Joseph Kornecki	Councilman
	Joseph M. Trojanoski	Councilman
	Stanley R. Bystrak	Councilman

ABSENT:	Benedict T. Holtz	Supervisor
	Joseph A. Neibert	Councilman

Also present were: Town Clerk Hanley; Town Attorney Delahunt; Chief of Police Mersmann; Town Engineer Kam; Highway Supt. Zablotny; Recreational Director Janiak, and Chairman of the Zoning Board of Appeals Kurnick.

Due to the absence of Supervisor Holtz, the Board designated Felix T. Wroblewski to act as Chairman for this meeting.

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 Communication read from the Allied Societies of St. Josephats Church inviting the Board to attend their Annual Card Party on February 9, 1958. Ordered received, filed, and to attend.

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Item No. 4 This being the time and the place advertised for the receiving of sealed proposals for the purchase of two (2) Police automobiles for use by the Police Department.

The Town Clerk presented proof that the Notice to Bidders has been duly published as required by law.

Hereto is a list of bids received and opened:

Suor Keller Chevrolet, Inc.....\$3,162.00

(Only bid received)

The bid was ordered referred to the Chief of Police for analysis.

1  
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Item No. 5 This being the time and the place advertised for the receiving of sealed proposals for furnishing all materials, tools, equipment, together with all labor for the cleaning of our (4) digesters at the Sanitary Sewage Treatment Plant 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:

Item No. 5-Cont'd.

	Item No. 1	Item No. 2
Hudson-Rumsey Co., Inc. 1679 Niagara Street Buffalo 7, New York	\$ 8,471.00	\$4.00 per sq. ft. for first 1000 sq. ft. \$2.50 per sq. ft. for all over 1000 sq. ft.
Frontier Pump & Equipment Co. 2332 Hamburg Turnpike Lackawanna 18, New York	\$11,400.00	\$6.00 per sq. ft. under 100 sq. ft. \$4.20 per sq. ft. for 100 sq. ft. or more
Industrial Pipecleaning Co., Inc. 104 Gates Avenue Lackawanna 18, New York	\$11,408.00	\$5.00 per sq. ft. for first 1000 sq. ft. \$3.50 per sq. ft. for any above 1000 sq. ft.

At the request of the Chairman, the bids were referred to the Town Engineer for analysis and tabulation.

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

RESOLVED, that the New York State Electric and Gas Corporation be authorized to install on existing pole No. 6 situate in Broad Street, a new type overhead 2500 Lumen light.

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

Councilman Fath	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -2-

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Item No. 7 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
Dennis Lane	Joanne Lane	1312 feet north

TYPE OF STREET LIGHTING INSTALLATION

8 Y 19 Standards-Under Ground Conduit , 2500 Lumen

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.

Item No. 7-Cont'd.

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
Dennis Lane	Joanne Lane	1312 feet north

TYPE OF STREET LIGHTING INSTALLATION

8 Y 19 Standards-Under Ground Conduit, 2500 Lumen  
and heard all persons interested in the subject thereof.

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

(a) that such petition is signed and acknowledged as required by law and is otherwise sufficient, and  
(b) that it is in the public interest to grant in whole the relief sought,  
by the installation of street lighting equipment hereinabove particularly described along said streets, and

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

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

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

Councilman Fath	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Wroblewski	Voting AYE

AYES: -5-                      NOES: -0-                      ABSENT: -2-

State of New York    )  
                              )  
County of Erie        )    SS.

I, Kenneth T. Hanley, Town Clerk of the Town of Cheektowaga, Erie County, New York, do hereby certify that I have compared the foregoing with the original minutes of the meeting of the Town Board of the said Town held on the 20th day of January, 1958, and that the foregoing is a true and correct transcript from said original resolution and order and the whole thereof; and that the resolutions and orders duly adopted by the said Town Board are on file in my office.

I further certify that all members of said Town Board had due notice of said meeting.

I further certify that a certified copy of such resolution and order was caused by me to be recorded in the office of the Clerk of Erie County, New York, on the 22 day of January, 1958.

In witness whereof, I have hereunto set my hand and the Seal of said Town of Cheektowaga, this 22 day of January, 1958.

KENNETH T. HANLEY

SEAL

Town Clerk

*Kenneth T. Hanley*

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Item No. 8 Moved by Councilman Bystrak, seconded by Councilman Trojanoski, that the Supervisor be authorized and directed to purchase from the Westinghouse Manufacturing Corporation 8 Y 19 Ornamental Street Lighting Standards to be used in Dennis Lane Special Street Lighting District.

AYES: -5-

NOES: -0-

ABSENT: -2-

27

Item No. 9 Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, a petition was presented to the Town Board requesting the extension of the hours of use of a pedestrian actuated signal at Genesee Street and Alpine Place to permit twenty-four (24) hours of operation instead of the present school time operation, and

WHEREAS, the Town Board deems the installation necessary and has passed a resolution requesting permission of the New York State Traffic Commission to operate this signal on a twenty-four (24) hour basis, and

WHEREAS, the Town has agreed to pay any necessary expense involved in placing the signal on a twenty-four (24) hour basis, and

WHEREAS, the New York State Traffic Commission has submitted approval of such change.

BE IT RESOLVED, that the Supervisor be and he hereby is authorized and directed to contract with Reynders Electric for the installation of a twenty-four (24) hour operated pedestrian actuated signal at Genesee Street and Alpine Place in the Town of Cheektowaga, New York, and to make payment accordingly.

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

Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -2-

8  
41

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

WHEREAS, Pelvion Land Co., Inc., has entered into an Agreement with the Town of Cheektowaga, New York, wherein said Pelvion Land Co., Inc. has agreed to place topping on the following described highway:

McNaughton Avenue - beginning at a point and running southerly from Scajaquada Creek approximately 2000 lineal feet, as shown on a Subdivision Map filed in the Erie County Clerk's Office under Cover No. 1999.

and

WHEREAS, Pelvion Land Co., Inc. has agreed, where necessary, to reconstruct the foundation of said highway and complete the same so that said highway will conform in every respect with the specifications of the Town Highway Department, a total distance of approximately 2000 feet, and has filed as security for the faithful performance of said agreement a surety bond in the sum of Thirty Thousand (\$30,000.00) Dollars, conditioned that it will comply in all respects with the aforementioned agreement.

BE IT RESOLVED, that the Supervisor be and he hereby is authorized to execute the annexed agreement between Pelvion Land Co., Inc. and the Town of Cheektowaga, New York on behalf of the Town of Cheektowaga, New York, and be it further

RESOLVED, that said described highway be accepted as a Town highway under the jurisdiction of the Town Highway Superintendent, and be it further



Item No. 10-Cont'd.

RESOLVED, that said agreement, having been approved as to form and the bond as to sufficiency by the Town Attorney and the Town Highway Superintendent, that the Town Attorney be and he hereby is authorized to accept and record a deed to the Town of Cheektowaga for said highway.

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

Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -2-

AGREEMENT

This Agreement made this 20th day of January, 1958, by and between the Town of Cheektowaga, a municipal corporation of the State of New York with its office and principal place of business located in the County of Erie, State of New York, party of the first part and Pelvion Land Co., 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 4845 Union Road, Cheektowaga, New York, party of the second part;

WITNESSETH:

WHEREAS, the party of the second part is the owner of the abutting property on McNaughton Avenue, beginning at a point and running southerly from Scajaquada Creek approximately 2000 lineal feet, as shown on a Subdivision Map filed in the Erie County Clerk's Office under Cover No. 1999, 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 will enter into a contract with the Erie County Water Authority for the construction of water lines in said highway and will pay 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 a town highway McNaughton Avenue, beginning at a point and running southerly from Scajaquada Creek approximately 2000 lineal feet, as shown on a Subdivision Map filed in the Erie County Clerk's Office under Cover No. 1999 and has agreed to enter into a contract with the Town of Cheektowaga, to place 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 topping on McNaughton Avenue, beginning at a point and running southerly from Scajaquada Creek approximately 2000 lineal feet, on or before August 1, 1958. It further agrees, where necessary, to reconstruct the foundation of said highway and complete the same so that said highway 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 \$30,000.00, 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 August 1st, 1958, or upon such date as designated by the Highway Superintendent of the Town of Cheektowaga, New York. In the event the party of

Item No. 10-Cont'd.

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 highway, shall be paid by the party of the second part and its surety, in the event said sum of \$30,000.00 is insufficient to pay such cost, then the party of the second part hereby agrees to pay the sum required in excess of that amount, it is however,

AGREED, that the maximum liability of the Surety Company is limited to the sum of Thirty Thousand (\$30,000.00) Dollars.

Upon filing with the Town Board an executed copy of this Agreement and the Surety Company Bond, it is agreed that the party of the first part does hereby accept said highway as a 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.

TOWN OF CHEEKTOWAGA, NEW YORK

BY: Benedict T. Holtz  
Supervisor

PELVION LAND CO., INC.

By: Myron A. Yeager  
V. Pres.

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Item No. 11 Councilman Trojanoski presented the following resolution and moved its adoption: ■

WHEREAS, the Bond Resolutions hereinafter referred to have taken effect in accordance with law and the Town Board desires to make provision for the issuance of the bonds authorized by said Bond Resolutions; NOW, THEREFORE,

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

(1) Bonds of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$800,000 shall be issued pursuant to the bond resolution entitled "Bond Resolution Dated October 7, 1957, Authorizing the Issuance of \$1,200,000 Serial Sewer District No. 7 Bonds of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law", which was adopted by the Town Board on October 7, 1957. Said bonds shall be designated "Serial Sewer District No. 7 Bonds, Series A of 1958" and shall consist of eight hundred (800) bonds of the denomination of \$1,000 each, numbered from 1 to 800, inclusive, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on January 1 in each year as follows, viz: \$25,000 in each of the years 1959 to 1968, inclusive; \$26,000 in each of the years 1969 to 1979, inclusive; and \$33,000 in each of the years 1980 to 1987, inclusive.

(2) Bonds of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$55,000 shall be issued pursuant to the bond resolution entitled "Bond Resolution, Dated October 7, 1957, Authorizing the Issuance of \$110,000 Serial Bonds of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law", which was adopted by the Town Board on October 7, 1957. Said bonds shall be designated "Serial Sewer District No. 5 Bonds, Series A of 1958" and shall consist of fifty-two (52) bonds of the denomination of \$1,000 each, numbered 1, 3, 5, 7, 9, 11, 13, and 14 to 58, inclusive, and six (6) bonds of the denomination of \$500 each, numbered 2, 4, 6, 8, 10, and 12, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on January 1 in each year as follows, viz: \$1,500 in each of the years 1959 to 1964, inclusive; and \$2,000 in each of the years 1965 to 1987, inclusive.

Item No. 11-Cont'd. (3) Bonds of the Town of Cheektowaga, in the county of Erie, of the aggregate principal amount of \$90,000 shall be issued pursuant to the bond resolution entitled "Bond Resolution, Dated December 2, 1957, Authorizing the Issuance of \$125,000 Serial Drainage District No. 5 Bonds of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law", which was adopted by the Town Board on December 2, 1957. Said bonds shall be designated "Serial Drainage District No. 5 Bonds, Series A of 1958", and shall consist of seventy-eight (78) bonds of the denomination of \$1,000 each, numbered 1, 2, 4, 5, 7, 8, 10, 11, 13, 14, 16, 17, 19, 20, 22, 23, 25, 26, 28 to 45, inclusive, 47, 48, 49, 51, 52, 53, 55, 56, 57, 59, 60, 61, 63, 64, 65, 67, 68, 69, 71, 72, 73, 75, 76, 77, 79, 80, 81, 83, 84, 85, 87, 88, 89, 91, 92, 93, 95, 96, 97, 99, 100, 101, and twenty-four (24) bonds of the denomination of \$500 each, numbered 3, 6, 9, 12, 15, 18, 21, 24, 27, 46, 50, 54, 58, 62, 66, 70, 74, 78, 82, 86, 90, 94, 98, and 102, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on January 1 in each year as follows, viz.: \$2,500 in each of the years 1959 to 1967, inclusive; \$3,000 in each of the years 1968 to 1972, inclusive; and \$3,500 in each of the years 1973 to 1987, inclusive.

(4) Bonds of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$67,000 shall be issued pursuant to the bond resolution entitled "Bond Resolution, dated October 7, 1957, Authorizing the Issuance of \$76,000 Serial Bonds of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law, to Finance Construction of Water Supply System in Extension of Water District No. 9", which was adopted by the Town Board on October 7, 1957. Said Bonds shall be designated "Serial Water District No. 9 Bonds, Series A of 1958", and shall consist of sixty-seven (67) bonds of the denomination of \$1,000 each, numbered 1 to 67, inclusive, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on January 1 in each year as follows, viz.: \$2,000 in each of the years 1959 to 1978, inclusive; and \$3,000 in each of the years 1979 to 1987, inclusive.

(5) Bonds of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$55,000 shall be issued pursuant to the bond resolution entitled "Bond Resolution, Dated August 20, 1956, Authorizing the Issuance of \$55,000 Serial Bonds of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law, to Finance the Acquisition of Vehicles for Use of the Consolidated Refuse and Garbage District of the Town", which was adopted by the Town Board on August 20, 1956. Said bonds shall be designated "Serial Consolidated Refuse and Garbage District Bonds, Series A of 1958", and shall consist of fifty-five (55) bonds of the denomination of \$1,000 each, numbered 1 to 55, inclusive, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on January 1 in each year as follows, viz.: \$18,000 in each of the years 1959 and 1960; and \$19,000 in the year 1961.

(6) Bonds of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$12,000 shall be issued pursuant to the bond resolution entitled "Bond Resolution, Dated October 7, 1957, Authorizing the Issuance of \$12,000 Serial Bonds of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law, to Finance the Construction of Curbs on Treehaven Road", which was adopted by the Town Board on October 7, 1957. Said bonds shall be designated "Serial Treehaven Curbing Bonds", and shall consist of twelve (12) bonds of the denomination of \$1,000 each, number from 1 to 12, inclusive, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on January 1 in each year as follows, viz.: \$3,000 in each of the years 1959 to 1962, inclusive.

Item No. 11-Cont'd.

(7) Bonds of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$9,000 shall be issued pursuant to the bond resolution entitled "Bond Resolution, Dated October 7, 1957, Authorizing the Issuance of \$9,000 Serial Bonds of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law, to Finance the Construction of Curbs on Walton Drive", which was adopted by the Town Board on October 7, 1957. Said bonds shall be designated "Serial Walton Drive Curbing Bonds", and shall consist of nine (9) bonds of the denomination of \$1,000 each, numbered 1 to 9, inclusive, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on January 1 in each year as follows, viz.: \$2,000 in each of the years 1959 to 1961, inclusive; and \$3,000 in the year 1962.

(8) 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 January 14, 1957, Authorizing the Issuance of \$95,000 Serial Bonds of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law", which was adopted by the Town Board on January 14, 1957, and which bonds are to be issued in addition to the issue of \$85,000 of bonds heretofore issued pursuant to the aforementioned bond resolution. Said bonds shall be designated "Serial Sewer District No. 5 Bonds, Series B of 1958", and shall consist of three (3) bonds of the denomination of \$1,000 each, numbered 1 to 3, inclusive, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on January 1 in each year as follows, viz.: \$1,000 in each of the years 1959 to 1961, inclusive.

(9) All of said bonds shall be dated January 1, 1958, and shall bear interest from their date at a rate which shall not exceed five percent (5%) per annum. Such interest shall be payable semi-annually on January 1 and July 1.

(10) 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.

(11) Each of said bonds shall be payable to bearer with coupons attached for the payment of interest to bearer, and such bond shall be convertible into a registered bond. Each of said bonds shall be executed by the Town Supervisor of said Town and shall be attested by the Town Clerk of said Town. Each of said bonds shall be sealed with the seal of said Town. Each of the interest coupons to be attached to said bonds shall be authenticated by the facsimile signature of said Town Supervisor.

(12) 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.

(13) 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 Kernecki and duly put to a vote which resulted as follows:

Councilman Fath	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kernecki	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -2-

Item No. 12 Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, the Capital Note Resolution hereinafter referred to has taken effect in accordance with law and the Town Board desires to make provisions for the issuance of the notes authorized by said Capital Note Resolution; NOW, THEREFORE,

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

(1) Capital Notes of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$29,000.00 shall be issued pursuant to the Capital Note Resolution entitled "Capital Note Resolution Dated November 4, 1957, Authorizing the Issuance of \$29,000 Drainage Facilities Capital Notes of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law". Said Capital Notes shall be designated "Drainage Facilities Capital Notes, Series A of 1958". Said Capital Notes shall consist of two notes of the denomination of \$14,500 each, numbered 1 & 2, in the order of their maturity and shall constitute an issue of Capital Notes payable in annual installments on April 1 in each of the years 1959 and 1960.

(2) All of said Capital Notes shall be dated as of a date subsequent to January 20, 1958, and shall bear interest from their date at the rate of 3% per annum. The interest on the Capital Notes shall be payable on April 1, 1958 and thereafter on each April 1 and October 1.

(3) Both principal of and interest on said Capital Notes 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.

(4) Each of said Capital Notes shall be payable to bearer and shall be convertible into a registered Capital Note. Each of said Capital Notes shall be executed by the Town Supervisor of said Town and shall be attested by the Town Clerk of said Town. Each of said Capital Notes shall be sealed with the seal of said Town.

(5) The power to prescribe the terms, form and contents of said Capital Notes, subject to the provisions of this resolution are hereby delegated to the Town Supervisor. Said Capital Notes shall be sold to the Manufacturers and Traders Trust Company of Buffalo, New York, at private sale, and shall bear an interest rate of 3% per annum.

(6) The faith and credit of the Town are hereby pledged for the payment of said Notes and the interest thereon as the same shall become due and payable.

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

Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Fath	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -2-

12  
26

Item No. 13 Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, to request Honorable Assemblyman John Lis and Senator Stanley Bamer to study the feasibility of seeking a bill in the current legislature for more State Aid for the Towns, perhaps you know that present State Aid is as follows:

\$6.75 per capita for Cities  
\$3.55 for Towns  
\$3.00 for Villages

There is a move on to seek an increase with their State Aid by New York State Mayors Organization for Cities and Villages, however, we feel that Towns, particularly large Towns such as Cheektowaga, needs and is entitled to more State Aid; therefore, we request your Honor to intervene for the Townships by offering a bill to this affect, be it further

RESOLVED, that a copy of this resolution be forwarded to the Governor of the State of New York.

Seconded by Councilman Kornecki.

AYES: -5-

NOES: -0-

ABSENT: -2-

8  
42

Item No. 14 Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, to authorize Town Attorney Thomas Delahunt to inquire about a tract of land owned by Erie County; bounded by Harlem Road on the east, Lehigh Valley on the west, the New York State Thruway on the south, and fronting on Dingens Street, for playground purposes. This area of Clinton and William Streets is badly in need of a playfield; therefore, the purchase of this tract of land is needed. Its approximately 5 acres are sufficient enough for sectional use.

Seconded by Councilman Trojanoski.

AYES: -5-

NOES: -0-

ABSENT: -2-

33  
16

Item No. 15 Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, news has been received that vaccine for inoculation against Asian Flu is available free of charge from the Erie County Health Department.

BE IT RESOLVED, that the Town Health Officer be and he hereby is authorized and directed to make application for sufficient vaccine to inoculate all town employees who desire to be inoculated, at no cost to said employees, and be it further

RESOLVED, that the Town Health Officer be and he hereby is authorized and directed to make the necessary arrangements for such inoculation, and be it further

RESOLVED, that the Town Health Officer be and he hereby is authorized and directed to obtain sufficient vaccine for inoculation of Volunteer Firemen in the Town of Cheektowaga, New York.

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

Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -2-

15

Item No. 16 Councilman Kornecki presented the following resolution and moved its adoption:

WHEREAS, Samuel E. Gajewski, Disposal Plant Operator in District 5 of the Town of Cheektowaga, Erie County, New York, has reached the mandatory Retirement Age and must retire on February 1, 1958, and has requested a six months extension,

BE IT RESOLVED, that such six months extension be granted pending approval of the New York State Commissions on Pensions.

Seconded by Councilman Trojanoski.

AYES: -5-

NOES: -0-

ABSENT: -2- 31

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

WHEREAS, the Dog Wardens have notified the Town Board that they are in need of one (1) new sedan delivery truck.

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, a newspaper having a general circulation in the Town of Cheektowaga, in connection with the said sedan delivery truck, and be it further

RESOLVED, that the Town Board meet on the 3rd day of February, 1958 at 2:30 o'clock P.M., Eastern Standard Time, at the Town Hall, corner of 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 Trojanoski and duly put to a vote, which resulted as follows:

Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -2- /

#### NOTICE TO BIDDERS

The Town of Cheektowaga hereby requires separate sealed bids for One (1) sedan delivery truck for use by the Dog Warden.

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., Eastern Standard Time on February 3rd, 1958, 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 Road 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: January 20, 1958

KENNETH T. HANLEY,  
Town Clerk

*Kenneth T. Hanley*

Item No. 17-Cont'd.

SPECIFICATIONS FOR SEDAL DELIVERY TRUCK  
(ONE REQUIRED)  
DOG WARDEN

One (1) 1958 Sedan Delivery Truck

1. Engine: 145 Horsepower minimum  
6 cylinder, minimum 235 cu. in. displacement
2. Color: Black
3. Transmission: synco-mesh 3 speed
4. Brakes: Hydraulic - 11 inch diameter bonded lining
5. Tires: 750 x 14 - 6 ply, black, tubeless
6. Windshield Wipers: 2 Reg'd electric or vacuum
7. Generator: Low cut in for Police Work
8. Battery: Heavy Duty - 12 volt
9. Equipment: Directional signal lights  
Oil Filter  
Heater & defroster - Air-flow type  
Std. Outside mirror Left side  
Long bracket type mirror on Right side
10. Car to be traded - one (1) 1954 Chevrolet Sedan Delivery

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

STATE OF NEW YORK } ss.:  
COUNTY OF ERIE }

**NOTICE TO BIDDERS**

The Town of Cheektowaga hereby requires separate sealed bids for One (1) sedan delivery truck for use by the Dog Warden.

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., Eastern Standard Time on February 3rd, 1958, 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 Road 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: January 20, 1958

KENNETH T. HANLEY,  
Town Clerk

1a23

**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 23rd day of January, 1958, and the last insertion being on the ..... day of ....., 19....., and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this 25 day of

Jan, 1958  
*Kenneth T. Hanley*  
Notary Public in and for Erie County



Item No. 18 Moved by Councilman Kornecki, seconded by Councilman Trojanoski, that the Sub Division Map of Thru Way Park, Part of Lot No. 24, Township 11, Range 7, prepared by Herthe and Sonnenberger, Engineers and Surveyors, dated January 14, 1958, be approved.

AYES: -5-

NOES: -0-

ABSENT: -2- 30

Item No. 19 Moved by Councilman Kornecki, seconded by Councilman Path that the Sub Division Map of property located in Lot 4, Township 11, Range 7, prepared by Nussbammer, Clarke and Velzy, Engineers and Surveyors, dated December 1957, be approved, for Planning Purposes only.

AYES: -5-

NOES: -0-

ABSENT: -2- 31

Item No. 20 Moved by Councilman Wroblewski, seconded by Councilman Trojanoski, that the Town Clerk be authorized and directed to issue all building permit applications processed by the Petitions Committee on 1-11-58 and 1-18-58, 1958, after same have been approved by the Building Inspector.

AYES: -5-

NOES: -0-

ABSENT: -2- 35

Item No. 21 TRIPLE INTERCHANGE REZONING DECISION

Mr. Alvin M. Goldberg, representing the Triple Interchange Inc., was granted the floor and requested that the Town Board defer any decision on the matter of denying the application of his organization for at least three weeks in order that his company could prepare documents and displays to better present its case. Mr. Goldberg further stated that his company did not anticipate that the rezoning application would be denied, and was not prepared to answer any questions relating to same.

Mr. Goldberg also related to the Town Board that the building to be constructed would better enhance the area than a heavy type of industry that might move into the area.

Mr. Goldberg also stated that he believes that any Town-wide planning would show this area to be in an Industrial Zone.

The request to the Board to table the decision was denied by the Chairman.

Mr. Eugene Rudzynski of No. was granted the floor and related to the Board that the Erie County Planning Association has recommended to the Town Planning Committee that this area should be kept in a residential status.

Mr. Jerry Zalewski of No. was granted the floor and plead with the Town Board to uphold the decision of the Zoning Board of Appeals and deny the aforementioned application.

Councilman Kornecki presented the following resolution and moved its adoption:

WHEREAS, the Zoning Board of Appeals has recommended that the application of Triple Interchange Inc., to rezone the following described property from that of Residential District to First Industrial District be denied,

RESOLVED, that this Town Board does hereby accept the recommendation of the Zoning Board of Appeals that the said application be denied.

Item No. 21-Cont'd.

(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. 76, Township 10, Range 7, of the Buffalo Creek Reservation, and more particularly described as follows:

COMMENCING at a point in the northerly line of Clinton Street at the intersection of the easterly line of Rossler Street; thence northerly 1184.04 feet to a stake on the easterly side of Rossler Street; thence northerly at an interior angle with the easterly line of Rossler Street  $171^{\circ}46'43''$  a distance of 286.72 feet to a stake in the southerly line of the Niagara Thruway; thence easterly along the southerly line of the Niagara Thruway 542.83 feet to a stake on the westerly line of lands owned by the Lehigh Valley Railroad; thence southerly along the westerly line of the lands owned by the Lehigh Valley Railroad 969.92 feet to a stake in the westerly line of the lands owned by the Lehigh Valley Railroad; thence westerly parallel with the northerly line of Clinton Street 200 feet to a stake; thence southerly and parallel with the westerly line of the lands owned by the Lehigh Valley Railroad 500 feet to the northerly line of Clinton Street; thence westerly along the northerly line of Clinton Street 284.52 feet to a stake in the northerly line of Clinton Street; thence northerly 130 feet to a stake; thence westerly and parallel with the northerly line of Clinton Street 70 feet to a stake; thence southerly 150 feet to a point on the northerly line of Clinton Street; thence westerly 26.1 feet to the point or place of beginning; also

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 76, Township 10, Range 7, of the Buffalo Creek Reservation, and more particularly described as follows:

COMMENCING at a point in the northerly line of Dingens Street 277.66 feet easterly of the intersection of the southerly line of Dingens Street and the easterly line of Meadowbrook Parkway; thence easterly 585.27 feet to a point in the westerly line of the Lehigh Valley Railroad; thence southerly along the westerly line of the Lehigh Valley Railroad 349.95 feet to the northerly line of the Niagara Thruway; thence westerly along the northerly line of the Niagara Thruway 548.44 feet; thence northerly at an interior angle of  $97^{\circ}22'21''$  a distance of 287.80 feet; thence northerly at an interior angle of  $172^{\circ}48'9''$  65 feet to the point or place of beginning.

The vote of the Town Board:

AYES: -5-

NOES: -0-

ABSENT: -2-

19

Item No. 22 Councilman Trojanoski moved, seconded by Councilman Kornecki,

WHEREAS, the Zoning Board of Appeals has approved a variance on the hereinafter described property to be used as a Truck Terminal, on the express condition that no other Second Industrial uses be permitted on the premises,

BE IT RESOLVED, that the application of Victor Reinstein to rezone the hereinafter described property from that of First Industrial District to Second Industrial District, be denied.

AYES: -5-

NOES: -0-

ABSENT: -2-

DESCRIPTION

Beginning at a point in the north line of Walden Ave. distant 400.00 ft. east measured at right angles from the line according to an agreement between Victor Reinstein and Loblaw, Inc. filed in Liber 6130 page 361; Thence east along the north line of Walden Ave. 354.88 ft. to a point 750 ft. east of said agreement line measured at right angles there to; Thence north on a line parallel with said agreement line 331.70 ft; Thence north west on a line forming an angle of 142°45' on the southwest with last mentioned line 578.24 ft. to a point 400 ft. east of said agreement line measured at right angles thereto; Thence south parallel with said agreement line 850.65 ft. to the point or place of beginning. Containing 4.75 acres.

Item No. 23 Councilman Kornecki 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. 142 to No. 264 inclusive, drawn on the Supervisor.

AYES: -5-

NOES: -0-

ABSENT: -2-

Item No. 24 Moved by Councilman Fath, seconded by Councilman Kornecki, to adjourn.

SEAL

KENNETH T. HANLEY  
Town Clerk

*Kenneth T. Hanley*

MEETING NO. 4

Cheektowaga, New York  
February 3, 1958

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 3rd day of February, 1958, at 2:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT:	Benedict T. Holtz	Supervisor
	Alancin M. Fath	Councilman
	Felix T. Wroblewski	Councilman
	Joseph Kornecki	Councilman
	Joseph M. Trojanoski	Councilman
	Joseph A. Neibert	Councilman
	Stanley R. Bystrak	Councilman

Also present were: Town Clerk Hanley; Town Attorney Delahunt; General Foreman Eberl; Building & Plumbing Inspector Trafalski; Chief of Police Mersmann; Recreational Director Janiak; Town Engineer Kama, and Town Historian Julia B. Reinstein.

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 Referred to the Town Attorney a communication from the Erie County Highway Superintendent relating to permission to change the traffic signal at the intersection of Kensington Avenue and Kenview Boulevard from a pedestrian push button operated signal to a fully operating signal.

7  
41

Item No. 4 Referred to Councilman Bystrak the communication from the Beverly Hills Association, Inc., relating to rerouting of buses in the Harlem Road - Tiorunda bus route in order to serve persons in the George Urban, Miami Parkway section to better advantage.

10

Item No. 5 Referred to the Petition Committee the request of the Cleveland Hill School Board for the installation of a pedestrian traffic signal at the intersection of Corey Road, Harlem Road and Mafalda Drive.

17

Item No. 6 Referred to the Assessors the petition for street lighting equipment in Lynncrest Terrace.

17  
27

Item No. 7 Referred to the Town Attorney the request of the Highway Superintendent to draw a resolution for the receiving of sealed bids for the purchase of a 1958 3/4 ton Pickup Truck.

33

Item No. 8 Moved by Councilman Wroblewski, seconded by Councilman Neibert, that Ernest J. Roehm, Assistant Plumbing & Building Inspector, be authorized and directed to attend the State Building Code Commission Meeting on February 19, 1958, and the Annual Eastern States Building Officials Federation on February 20, 1958 and February 21, 1958 in New York City.

31

AYES: -7-

NOES: -0-

ABSENT: -0-

44

Item No. 9 Councilman Trojanoski moved, seconded by Councilman Wroblewski, that the Supervisor be authorized and directed to purchase from Hydra Naumatic Sales Company of Hackensack, N. J., four (4) Varec Fig. 5800-C Combination pressure relief and vacuum breakers with flame arresters with 3" connection as well as a 3" DeZurik non lubricated rubber faced plug valve at a price of \$828.00 FOB Factory.

AYES: -7-

NOES: -0-

ABSENT: -0-

39

Item No. 10 This being the time and the place advertised for the receiving of sealed proposals for the purchase of one Sedan Delivery Truck for use by the Dog Wardens.

The Clerk presented proof that the Notice to Bidders has been published as required by law.

On a motion of Councilman Wroblewski, seconded by Councilman Bystrak, the Clerk was authorized and directed to open the sealed bids on hand.

Herto is a summary of the bids opened and read:

Mernan Chevrolet, Inc.....\$1,750.00  
Suor Keller Chevrolet, Inc.....\$1,657.11

Moved by Councilman Wroblewski, seconded by Councilman Bystrak, that the bids be referred to the Town Engineer for analysis and tabulation.

36

Item No. 11 Councilman Trojanoski presented the following resolution and moved its adoption:

WHEREAS, bids were received at a meeting of the Town Board held on January 28, 1958, for the cleaning of the primary digesters at Sewage Treatment Plant No. 5, and

WHEREAS, Hudson-Rumsey Co., Inc. has submitted the low bid in the \$8,471.00 for Item No. 1, and \$4.00 per square foot for the first 1000 square feet and \$2.50 per square foot for all over 1000 square feet on Item No. 2, and

WHEREAS, the Town Engineer has recommended that the contract be awarded to Hudson-Rumsey Co., Inc. in accordance with said bid.

BE IT RESOLVED, that the Supervisor be and he hereby is authorized and directed to order the work performed by Hudson-Rumsey Co., Inc. in accordance with the bid and to make payment accordingly.

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

Supervisor Holtz	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

3

Item No. 12 Councilman Trojanoski presented the following resolution and moved its adoption:

WHEREAS, the Superintendent of Highways has recommended the following changes of street names in the Town of Cheektowaga, New York:

Item No. 12-Cont'd.

<u>OLD NAME</u>	<u>NEW NAME</u>
Baltic (New Beach)	Beach Road
Beach (Genesee to Thruway)	Beryl Drive
Beach (Thruway to Beach)	Fonda Drive
Peter Street	Anthony Avenue
Lawnridge Road (M/C 1060/1070)	Diane Drive
Washington Avenue (M/C 733/976)	Powell Road
Columbus Avenue (M/C 733/976)	Temple Road
Park Road (M/C 1060/1070)	Patrick Lane

BE IT RESOLVED, that the above recommended changes be adopted and that the owners and occupants of premises on the designated streets be notified accordingly.

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

Supervisor Holtz	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

Item No. 13 Moved by Councilman Trojanoski, seconded by Councilman Neibert, that the following be authorized to attend the Annual Meeting of the Association of Towns in New York City on February 10, 11, and 12, 1958:

All Members of the Town Board  
Town Attorney  
Town Clerk  
Highway Superintendent

And, any others authorized by the Town Board.

AYES: -7-

NOES: -0-

ABSENT: -0-

Item No. 14 Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the New York State Electric and Gas Corporation be authorized to remove thirty (30) 1,000 lumen open lamps, and install forty-one (41) 2500 lumen lamps in Borden Road, and be it further

RESOLVED, that the New York State Electric and Gas Corporation be authorized to replace five (5) 1,000 lumen lights with 2500 lumen globe type lamps in Old Beach Road, west of New Beach Road.

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

Supervisor Holtz	Voting AYE
Councilman Fath	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

Item No. 15 Councilman Bystrak presented the following and moved its adoption:

RESOLVED, that the New York State Electric & Gas Corporation be authorized to remove from existing poles situate in Harlem Road between Clinton and Broadway, seven (7) 2500 lumen units; forty-six (46) 4000 lumen units, and two (2) 10,000 lumen (Sodium Vapor) units, and install on existing poles seventy-eight (78) 6000 lumen units with overhead globe type lights; six (6) 10,000 incandescent lumen units, and at the intersections of Dingen, Parker and William Streets with Harlem Road, that two (2) 10,000 lumen units be installed at each intersection.

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

Supervisor Holtz	Voting AYE
Councilman Fath	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

27

Item No. 16 Councilman Trojanoski moved, seconded by Councilman Wroblewski,

WHEREAS, on the 20th day of January, 1958, this Town Board received sealed proposals for the purchase of two (2) automobiles to be used in the Police Department,

WHEREAS, Suor-Keller Chevrolet, Inc., Cheektowaga, New York, was the low and only bidder for said Police cars,

BE IT RESOLVED, that the Supervisor be authorized and directed to enter into a contract with the said Suor-Keller Chevrolet, Inc., for the purchase of same automobiles.

AYES: -7-

NOES: -0-

ABSENT: -0-

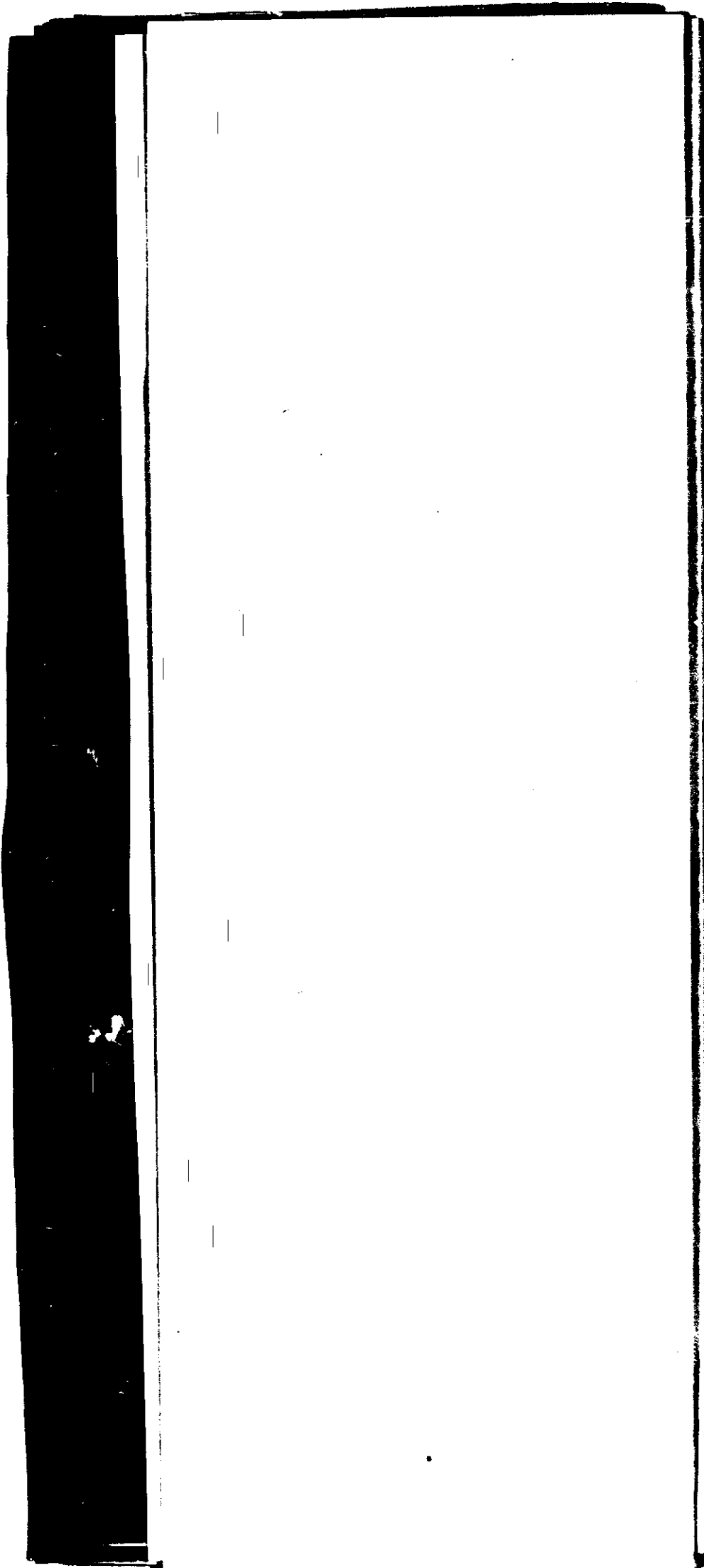
18

Item No. 17 This being the time and the place advertised for the receiving of sealed proposals for furnishing all materials, tools, equipment, and together with all labor for the construction of approximately 786 lineal feet of 8-inch diameter pipe on Smallwood Terrace in Sanitary Sewer District No. 5; 630 lineal feet of 8-inch diameter pipe on Buell Avenue; 720 lineal feet of 8-inch pipe on Genesee Street; 575 lineal feet of 10-inch diameter pipe and 720 lineal feet of 8-inch diameter pipe on Dick Road in Sanitary Sewer District No. 7, including manholes, wye branches, riser pipes and other appurtenant work in accordance with contract documents.

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

On a motion of Councilman Trojanoski, seconded by Councilman Neibert, the Clerk was authorized and directed to open the sealed bids on hand.

Hereto attached is a summary of the bids received and opened:





BID OPENING: - FEBRUARY 3, 1955 - 2:30PM EST.

# BID SUMMARY - TOWN OF CHEEKTOWAGA, N.Y. - SANITARY SEWERS - SEWER DISTRICT NO. 5 & NO. 6

ITEM NO.	DESCRIPTION	AMT	UNIT	STRACO INC.			C.M.H. Co. Inc.			PASO CONTR. CORP.			DEPLAN CONTR. CO.			SERGI BROTHERS			FRANK MILLER CO.		
				UNIT	SUBTOTAL	TOTAL	UNIT	SUBTOTAL	TOTAL	UNIT	SUBTOTAL	TOTAL	UNIT	SUBTOTAL	TOTAL	UNIT	SUBTOTAL	TOTAL	UNIT	SUBTOTAL	TOTAL
A1	V.T.P. SEWER 8" 6'-8" DEPTH	630	FEET	3.190	2457.00		2.10	1323.00		2.50	1575.00		2.29	1442.70		2.75	1732.50		2.40	1560.00	
	V.T.P. SEWER 8" 8'-10" DEPTH	155	FEET	4.10	635.50		2.30	310.50	356.50	2.80	434.00		2.39	370.25		3.25	503.75		2.80	454.00	
	TOTAL FOR ITEM A1					3092.50			1633.50			2009.00			1813.15			2236.25			1914.00
	STANDARD M.H. FROM 0' TO 3' DEPTH	3	EACH	300.00	900.00		200.00	600.00	1679.50	210.00	630.00		200.00	600.00		200.00	600.00		235.00	705.00	
	ADDITIONAL DEPTH OF M.H. OVER 3' IN DEPTH	3	FEET	30.00	90.00		30.00	90.00		25.00	75.00		35.00	105.00		20.00	60.00		20.00	60.00	
	SELECT MATERIAL BACKFILL	700	CU.YD.	3.00	2100.00		3.50	2450.00		2.00	2800.00		3.00	2100.00		2.00	1400.00		4.50	3150.00	
	WYE BRANCHES	22	EACH	3.00	66.00		2.50	55.00		6.00	132.00		10.00	220.00		12.00	264.00		9.00	198.00	
	6" DIAM. RISER PIPE CONNECTION TO EXISTING LATERALS	150	FEET	2.30	345.00		3.30	525.00		3.00	450.00		2.50	375.00		1.50	225.00		2.00	300.00	
	BITUMINOUS MACDAM PAVEMENT REPLACEMENT	80	SQ.YD.	8.00	640.00		3.50	280.00	5723.50	5.00	400.00		2.25	180.00		7.00	560.00		4.00	320.00	
	TOTAL BID AMOUNT SECTION A - ITEM A1 - A7 INCLUSIVE					7263.50			5677.50			6496.00			5395.15			3301.25			6679.00
B1	V.T.P. SEWER 8" 5'-5" DEPTH	190	FEET	3.80	722.00		2.60	494.00		2.50	475.00		2.29	335.10		2.75	522.50		2.40	360.00	
	V.T.P. SEWER 8" 8'-10" DEPTH	1160	FEET	4.00	4640.00		2.80	3248.00		2.80	3248.00		2.39	2772.40		3.25	3770.00		2.80	3440.00	
	TOTAL FOR ITEM B1					5362.00			3742.00			3723.00			3201.50			4292.50			3704.00
	STANDARD M.H. FROM 0' TO 3' DEPTH	5	EACH	300.00	1500.00		200.00	1000.00		230.00	1200.00		200.00	1000.00		200.00	1000.00		235.00	1175.00	
	ADDITIONAL DEPTH M.H. OVER 3' IN DEPTH	10	FEET	30.00	300.00		30.00	300.00		25.00	250.00		35.00	350.00		20.00	200.00		20.00	200.00	
	ROCK EXCAVATION	100	CU.YD.	.01	1.00		1.00	100.00		16.00	1600.00		3.00	300.00		20.00	2000.00		35.00	3500.00	
	SELECT MATERIAL BACKFILL	750	CU.YD.	3.00	2250.00		3.00	2250.00		2.00	3000.00		3.00	2250.00		2.00	1500.00		4.50	3150.00	
	WYE BRANCHES	5	EACH	3.00	15.00		2.50	12.50		6.00	30.00		10.00	50.00		12.00	60.00		9.00	45.00	
	6" DIAM. RISER PIPE	40	FEET	2.50	100.00		3.00	120.00		3.00	120.00		2.50	100.00		1.50	60.00		2.00	80.00	
	BITUMINOUS MACDAM PAVEMENT REPLACEMENT	20	SQ.YD.	8.00	160.00		3.50	175.00		5.00	250.00		2.25	112.50		7.00	350.00		4.00	200.00	
	CONC. PAVEMENT REPLACEMENT	15	SQ.YD.	12.00	180.00		10.00	150.00		6.00	90.00		10.00	150.00		3.00	45.00		3.00	45.00	
	TOTAL BID AMOUNT SECTION B - ITEM B1 - B9 INCLUSIVE					10117.00			7875.00			10881.00			8450.00			9602.50			10446.00
C1	V.T.P. SEWER 10" 10'-12" DEPTH	185	FEET	4.10	760.50		3.25	601.25		3.50	627.50		3.12	577.20		3.75	712.50		4.15	767.75	
	V.T.P. SEWER 10" 12'-14" DEPTH	320	FEET	5.40	1728.00		3.55	1136.50		4.00	1560.00		3.22	1252.20		4.35	1927.50		5.00	1950.00	
	V.T.P. SEWER 8" 6'-8" DEPTH	90	FEET	4.30	387.00		2.10	189.00		2.50	225.00		2.29	244.10		2.75	247.50		2.40	216.00	
	V.T.P. SEWER 8" 8'-10" DEPTH	335	FEET	9.50	1672.50		2.60	1284.00		2.80	1484.00		2.59	1385.65		3.25	1788.75		3.00	1650.00	
	V.T.P. SEWER 8" 10'-12" DEPTH	95	FEET	3.70	351.50		2.60	247.00		3.00	285.00		2.69	255.55	3118.30	3.75	356.25		2.00	380.00	
	TOTAL AMOUNT ITEM C1					5353.50			3714.75			4215.50			3638.50			5023.50			4018.75
	STANDARD M.H. FROM 0' TO 3' DEPTH	4	EACH	300.00	1200.00		200.00	800.00		240.00	960.00		200.00	800.00		200.00	800.00		235.00	940.00	
	ADDITIONAL DEPTH M.H. OVER 3' DEPTH	20	FEET	30.00	600.00		30.00	600.00		25.00	500.00		35.00	700.00		20.00	400.00		20.00	400.00	
	ROCK EXCAVATION	100	CU.YD.	15.00	1500.00		1.00	100.00		16.00	1600.00		3.00	300.00		20.00	2000.00		35.00	3500.00	
	SELECT MATERIAL BACKFILL	200	CU.YD.	3.00	600.00		3.00	600.00		3.00	600.00		3.00	600.00		2.00	400.00		4.50	900.00	
	CONC. CRADLE																				
C2	10" PIPE	578	FEET	1.40	809.20		2.00	1150.00		1.50	862.50		1.25	727.75		2.00	1150.00		1.30	822.50	
	8" PIPE	100	FEET	1.30	130.00		1.75	175.00		1.50	150.00		1.25	125.00		2.00	200.00		1.20	120.00	
	TOTAL AMOUNT ITEM C2					935.00			1325.00			1012.50			852.75			1350.00			962.50
	WYE BRANCHES																				
	10" X 6"	20	EACH	4.00	80.00		4.00	120.00		5.00	150.00		10.00	200.00		12.00	240.00		12.00	240.00	
	8" X 6"	30	EACH	3.00	90.00		4.50	135.00		6.00	180.00		10.00	300.00		10.00	300.00		9.00	270.00	
	TOTAL AMOUNT ITEM C2					170.00			255.00			360.00			560.00			540.00			510.00
	6" DIAM. RISER PIPE	150	FEET	2.50	375.00		3.00	450.00		3.00	450.00		2.50	375.00		1.50	225.00		2.00	300.00	
	TOTAL BID AMOUNT FOR SECTION C - ITEM C1 - C7 INCLUSIVE					10765.50			7844.75			9295.00			8317.05			10745.50			10441.25
						21072.50									16337.05						
C3	TOTALS FOR BID SECTIONS A, B & C					28173.00			21441.25			26675.00			21780.20			25557.25			31536.25

BID SECURITY

MARYLAND CAS. CO.

AETNA CASE SURETY CO.

NEW AMSTERDAM CAS.

TRAVELERS INDEMNITY

AMERICAN SURETY

NEW AMSTERDAM CAS.

## DISTRICT NO 5 &amp; NO 7

NUSSBAUMER, CLARKE & VELZY  
327 FRANKLIN ST. BUFFALO 2, N.Y.SMALLWOOD TERRACE - SEWER DISTRICT NO 5  
BUELL AVENUE, GENESEE STREET & DICK ROAD - SEWER DISTRICT NO 7

RS.	FRANK MILLER CO.			STEEL CITY EXC. & GRADING CO.			CHEERTOWAGE TRENCHING CO.			FAGO BROTHERS.			TWIN VILLAGE CONST.			ZENKE BROTHERS			DEPEN PAVING CO.								
	UNIT	SUBTOTAL	TOTAL	UNIT	SUBTOTAL	TOTAL	UNIT	SUBTOTAL	TOTAL	UNIT	SUBTOTAL	TOTAL	UNIT	SUBTOTAL	TOTAL	UNIT	SUBTOTAL	TOTAL	UNIT	SUBTOTAL	TOTAL	UNIT	SUBTOTAL	TOTAL	UNIT	SUBTOTAL	TOTAL
	2.40	1512.00		3.55	2236.50		2.15	1354.00	*7354.50	4.00	2320.00		3.90	2457.00		2.30	1449.00		3.00	1890.00							
	2.80	734.00		4.05	627.75		2.25	348.75		4.25	697.50	*658.75	4.25	658.75		2.40	372.00		3.50	525.50							
236.25			1546.00			284.25			1702.75			3217.50		3115.75				1821.00				2432.50					
	235.00	705.00		280.00	840.00		280.00	840.00	*1703.25	320.00	960.00	*3118.15	300.00	900.00		200.00	600.00		450.00	1350.00							
	20.00	60.00		40.00	120.00		30.00	90.00		42.00	126.00		15.00	45.00		5.00	15.00		32.00	96.00							
	4.50	3150.00		3.00	2100.00		4.50	3150.00		7.00	2900.00		2.50	1750.00		3.00	2100.00		3.00	2100.00							
	5.00	195.00		7.30	166.00	*160.00	11.45	251.90		15.00	530.00		4.50	99.00		4.50	99.00		15.00	350.00							
	2.00	300.00		3.00	450.00		1.80	270.00		5.00	250.00		2.10	315.00		2.00	300.00		1.50	225.00							
	4.00	320.00		3.00	400.00		15.00	1200.00	*7505.15	6.00	450.00	*10424.75	4.00	320.00		6.00	480.00		3.30	288.00							
501.25			6479.00			695.25			8504.65			10424.75		6544.75				3413.00				6873.50					
	2.40	456.00		3.55	674.50		2.15	408.50		4.00	760.00		3.90	741.00		2.25	421.40		3.00	570.00							
	2.80	344.00		4.05	4698.00		2.25	2610.00		4.50	2220.00		4.25	4930.00		2.75	3190.00		3.50	3260.00							
92.50			3164.00			5312.50			5813.50			5980.00		5671.00				3617.40									
	235.00	1175.00		280.00	1400.00		280.00	1400.00		320.00	1600.00		300.00	1500.00		200.00	1000.00		425.00	2125.00							
	20.00	60.00		40.00	120.00		30.00	90.00		42.00	126.00		15.00	45.00		5.00	15.00		32.00	96.00							
	35.00	3500.00		20.00	2000.00		30.00	3000.00		6.00	600.00		7.50	750.00		15.00	1500.00		8.00	800.00							
	4.50	3575.00		3.00	2250.00		4.50	3375.00		7.00	5250.00		2.50	1875.00		3.00	2250.00		3.00	2250.00							
	9.00	72.00		7.30	58.40		11.45	91.60		15.00	120.00		4.50	36.00		4.50	36.00		15.00	120.00							
	2.00	80.00		5.00	180.00		1.10	44.00		3.00	120.00		2.10	84.00		1.00	20.00		1.50	60.00							
	2.00	260.00		5.00	250.00		15.00	750.00		6.00	300.00		2.00	200.00		6.00	300.00		3.30	175.00							
	8.00	120.00		8.00	120.00		20.00	300.00	*12279.10	9.00	155.00		3.00	120.00		10.00	150.00		6.00	90.00							
502.50			12466.00			11970.90			71279.10			14525.00		10386.00				2545.20				70166.00					
	4.15	71.75		4.95	915.75		2.10	499.50		6.00	110.00		3.00	925.00		3.12	577.20		4.45	823.25							
	5.00	1950.00		5.45	2175.50		3.00	1170.00		7.00	2130.00		3.50	2145.00		3.37	1314.50		5.50	2175.00							
	2.40	216.00		3.55	193.50		2.15	193.50		4.00	360.00		3.90	351.00		2.75	93.50		3.00	270.00							
	3.00	1605.00		4.05	2166.75		2.25	1205.75		4.50	2907.50		4.25	2273.75		2.30	1177.00		5.50	1812.50							
	4.00	380.00		4.55	432.25		2.50	237.50		5.00	475.00		4.75	451.25		2.40	228.00		4.00	320.00							
38.50			4912.75			5959.75			5504.25			7082.50		6146.00				3490.00				3490.75					
	235.00	920.00		280.00	1120.00		280.00	1120.00		320.00	1280.00		300.00	1200.00		200.00	800.00		425.00	1700.00							
	20.00	600.00		40.00	1600.00		30.00	900.00		42.00	126.00		15.00	300.00		25.00	500.00		35.00	900.00							
	35.00	3500.00		20.00	2000.00		30.00	3000.00		6.00	600.00		7.50	750.00		15.00	1500.00		8.00	800.00							
	4.50	900.00		3.00	600.00		4.50	900.00		7.00	1400.00		2.30	500.00		3.00	600.00		3.00	600.00							
	1.50	864.50		1.25	718.75		2.10	1207.50		2.50	1437.50		3.00	1725.00		.60	227.50		2.25	1293.75							
	1.00	700.00		1.20	120.00		7.95	195.00		2.50	250.00		3.00	300.00		.50	50.00		2.00	200.00							
350.00			962.50			838.75			7402.50			1687.50		2085.00				537.50				1293.75					
	12.00	240.00		7.30	166.00		13.50	270.00		17.00	340.00		6.25	125.00		4.00	120.00		17.00	340.00							
	9.00	270.00		5.25	157.50		11.45	383.50		15.00	450.00		4.50	135.00		4.50	135.00		15.00	450.00							
540.00			570.00			363.50			673.50			790.00		260.00				225.00				790.00					
	2.00	300.00		3.00	450.00		1.10	165.00		3.00	450.00		2.10	315.00		1.00	150.00		1.50	225.00							
753.50			12441.25			12072.00			71705.25			12140.20		71496.00				1602.50				71599.50					
																		*7632.50									
557.25			31536.25			30977.75			30889.50			33079.75		28426.75				21590.90				29573.00					
ETY	NEWAMSTERDAM CAS.			NEWARK INSUR. CO.			UNITED STATES FIDELITY & GUARANTY CO.			NEWAMSTERDAM CAS.			TRAVELERS INDEMNITY			UNITED STATES FIDELITY & GUARANTY CO.			TRAVELERS INDEMNITY								

TOWN OF CHEERTOWAGE, N.Y.  
SANITARY SEWER DISTRICT  
No. 5 & No. 7  
  
BID SUMMARY  
SANITARY SEWERS  
  
NUSSBAUMER CLARKE & VELZY  
CONSULTING ENGINEERS  
327 FRANKLIN ST. BUFFALO

77 CORRECTION FIGURES  
A-169

TOWN OF CHEERTOWAGE, N.  
SANITARY SEWER DIST.  
No. 5 & No. 7BID SUMMARY  
SANITARY SEWERSNUSSBAUMER, CLARKE & VELZY  
CONSULTING ENGINEERS  
327 FRANKLIN ST. BUFFALO

SMALLWOOD TERRACE - SEWER DISTRICT NO 5
BUELL AVENUE, GENESEE STREET & DICK ROAD - SEWER DISTRICT NO 7

EEL CITY EXC. Grading Co.			CHEEKTOWAGA TRENCHING Co.			FAGO BROTHERS.			TWIN VILLAGE CONST.			ZENKE BROTHERS			DEPEW PAVING Co.											
SUB TOTAL	TOTAL		UNIT	SUBTOTAL	TOTAL	UNIT	SUBTOTAL	TOTAL	UNIT	SUBTOTAL	TOTAL	UNIT	SUBTOTAL	TOTAL	UNIT	SUBTOTAL	TOTAL	UNIT	SUBTOTAL	TOTAL	UNIT	SUBTOTAL	TOTAL	UNIT	SUBTOTAL	TOTAL
55 2236.50			2.15	1354.00	* 1354.50	2.00	2520.00		3.90	2457.00		2.30	1449.00		3.00	1890.00										
03 227.75			2.25	348.75		2.25	697.50	* 658.75	4.25	658.75		2.40	872.00		3.50	572.50										
	2864.25			1702.75			3817.50		3115.75			1821.00		2432.50												
00 840.00			280.00	840.00	* 1703.25	320.00	960.00	* 3178.75	300.00	900.00		200.00	600.00		425.00	1350.00										
00 120.00			30.00	90.00		40.00	120.00		15.00	45.00		5.00	15.00		52.00	156.00										
00 2100.00			4.50	3150.00		7.00	2900.00		2.50	1750.00		3.00	2100.00		3.00	2100.00										
30 160.00	* 160.00		11.45	251.90		15.00	330.00		4.50	99.00		4.50	99.00		15.00	330.00										
00 140.00			1.50	270.00		3.00	450.00		2.10	315.00		2.00	500.00		1.50	225.00										
00 200.00			15.00	720.00	* 7308.15	2.00	480.00	* 10,424.75	4.00	320.00		6.00	480.00		3.50	280.00										
	6937.75			2306.65			10,463.50		6,544.75			5445.00		6873.50												
55 674.50			2.15	408.50			760.00		3.90	741.00		2.25	427.40		3.00	570.00										
05 4698.00			2.25	2610.00		4.50	5220.00		4.25	4930.00		2.75	3190.00		3.50	4060.00										
	5372.50			3013.50			5920.00		5,671.00			3,617.40														
00 1200.00			280.00	1400.00		320.00	1600.00		300.00	1500.00		200.00	1000.00		425.00	2125.00										
00 200.00			30.00	900.00		40.00	800.00		15.00	150.00		5.00	50.00		45.00	450.00										
00 2000.00			6.00	3000.00		6.00	600.00		1.50	750.00		15.00	1500.00		8.00	800.00										
00 2250.00			4.50	3375.00		7.00	5250.00		2.50	1875.00		3.00	2250.00		3.00	2250.00										
30 58.40			11.45	91.60		15.00	120.00		4.50	36.00		4.50	36.00		15.00	120.00										
00 120.00			1.10	44.00		3.00	120.00		2.10	84.00		1.00	40.00		1.50	60.00										
00 250.00			15.00	750.00		6.00	300.00		2.00	200.00		6.00	300.00		3.50	175.00										
30 120.00			20.00	300.00	* 12,276.10	5.00	135.00		8.00	120.00		10.00	150.00		6.00	90.00										
	11,970.90			77,276.10			14,525.00		10,386.00			2963.40		10,700.00												
55 915.75			2.10	420.50		6.00	110.00		5.00	925.00		3.12	577.20		4.45	823.25										
40 2125.50			3.00	1170.00		7.00	170.00		13.50	2125.00		3.57	1314.30		3.50	2145.00										
55 219.50			2.15	193.50		4.00	360.00		13.90	357.00		2.15	193.50		3.00	270.00										
05 2166.75			2.25	1203.75		4.50	407.50		2.25	2275.75		2.20	1177.00		3.50	1872.50										
55 232.25			2.50	237.50		5.00	475.00		2.15	451.25		2.40	228.00		2.00	380.00										
	5959.75			3304.25			7,082.50		6146.00			3490.00		5490.75												
00 1120.00			280.00	1120.00		320.00	1280.00		300.00	1200.00		200.00	800.00		425.00	1700.00										
00 200.00			30.00	600.00		40.00	800.00		15.00	300.00		25.00	500.00		45.00	900.00										
00 2000.00			6.00	3000.00		6.00	600.00		1.50	750.00		15.00	1500.00		8.00	800.00										
00 200.00			24.50	900.00		7.00	400.00		12.50	500.00		3.00	600.00		3.00	600.00										
25 718.75			2.10	1307.50		2.50	437.50		3.00	1725.00		.50	287.50		2.25	1293.75										
20 120.00			7.95	195.00		2.50	250.00		3.00	300.00		.50	50.00		2.00	200.00										
	838.75			1402.50			1,687.50		2025.00			337.50		1493.75												
30 144.00			13.50	270.00		17.00	340.00		6.25	125.00		6.00	120.00		17.00	340.00										
25 157.50			11.45	343.50		15.00	450.00		2.50	135.00		4.50	135.00		15.00	450.00										
	301.50			613.50			790.00		260.00			225.00		190.00												
10 450.00			1.10	165.00		5.00	450.00		2.10	315.00		1.00	150.00		1.50	225.00										
	12,072.00			77,105.25			12,130.00		11,496.00			7602.50		77,990.50												
																									</	



Moved by Councilman Trojanoski, seconded by Councilman Neibert, that the bids be referred to the Town Engineer for analysis and tabulation.

AYES: -7-

NOES: -0-

ABSENT: -0-

24

Item No. 18 Moved by Councilman Wroblewski, seconded by Councilman Trojanoski that the Town Clerk be authorized and directed to issue all building permit applications processed by the Petitions Committee on January 28, 1958 and February 1, 1958, after same have been approved by the Building Inspector.

15  
35

AYES: -7-

NOES: -0-

ABSENT: -0-

Item No. 19 Moved by Councilman Wroblewski, seconded by Councilman Kornecki, that the Town Clerk be authorized and directed to publish in the Depew-Herald Cheektowaga News the Supervisor's Annual Report for the year 1957, and be it further

RESOLVED, that the Clerk be authorized and directed to have 150 copies of the report printed.

35

AYES: -7-

NOES: -0-

ABSENT: -0-

Item No. 20 WHEREAS, the Zoning Board of Appeals of the Town of Cheektowaga, New York, held a public hearing for the purpose of considering the application of Edward J. Bialecki 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

X

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, be it

RESOLVED, by this Town Board that the Ordinance adopted December 21, 1942, and as now amended 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. 67, 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. 1010, is known as Subdivision Lot No. 24 and the south 20 feet of Subdivision Lot No. 23, being 50 feetfront by 259.4 feet in depth on the south line situate on the west side of Transit Road, commencing 998.40 feet south of Zurbrick Road, as shown on said map.

EXCEPTING from the above described premises the part thereof taken by the State of New York for widening Transit Road.

Dated: February 3, 1958.

KENNETH T. HANLEY

Town Clerk

Town of Cheektowaga, N. Y.

The above notice was posted on the Town Hall Bulletin Board on the 15th day of February, 1958.

46  
19

Item No. 21

## LEGAL NOTICE

WHEREAS, the Zoning Board of Appeals of the Town of Cheektowaga, New York, held a public hearing for the purpose of considering the application of Peter Santin, Nunzio N. Gentile and Arthur F. Musarra 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, be it

RESOLVED, by this Town Board that the Ordinance adopted December 21, 1942, and as now amended 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, State of New York and briefly described as follows:

Bounded and described in accordance with a survey of property located in Farm Lots 4 and 12, Township 11, Range 7, by Nussbaumer, Clarke, and Velzy, Inc.

Beginning at a point in the Northwestern side of George Urban Blvd. (80' wide), a distance 300' Southwesterly from the former Southwesterly side of Dick Road, (66') wide measured at right angles thereto and extending Westerly 344' along the North line of George Urban Blvd., as formerly laid out: thence, northwesterly along a line parallel to Dick Road as formerly laid out a distance of 699.94' plus or minus to the South line of map cover 1219. Thence, Easterly along the South line of map cover 1219, a distance of 344.14' plus or minus to the West line of Dick Road, thence, Southwesterly along the West line of Dick Road a distance of 699.94' plus or minus to the point of beginning.

Said parcel being the Northwest corner of George Urban Blvd., and Dick Road. Also all that tract or parcel of land being Sub-lot Nos. 476 through 481 inclusive, filed under map cover No. 1219 in the Erie County Clerk's Office.

Dated: February 3, 1958

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

The above Notice was posted on the Town Hall Bulletin Board on the 15th day of February, 1958.

19  
40

Item No. 22 Moved by Councilman Wroblewski, seconded by Councilman Trojanoski, that the application of Gibraltar Steel Corporation to rezone the following mentioned premises from that of First Industrial District to that of Second Industrial District, be denied, without prejudice.

DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie, State of New York, being part of Lot No. 11, Township 11, Range 7 of the Holland Land Purchase, so called, bounded and described as follows:

Item No. 22-Cont'd.

Beginning at the point of intersection of the east line of lands, now or formerly owned by John Coatsworth with the southeast line of Walden Avenue (as now laid out), said line of Walden Avenue being also the southeast line of lands conveyed to the County of Erie by deed recorded in the Erie County Clerk's Office, in liber 5242 of deeds page 545; running thence southerly along the east line of lands now or formerly owned by John Coatsworth, 906.92 feet to its intersection with the north line of lands owned by the New York Central Railroad; thence northeasterly along the north line of lands owned by New York Central Railroad, 565.62 feet to its intersection with the east line of said lot No. 11; thence northerly along the east line of said lot No. 11, a distance of 906.97 feet to its intersection with the southeast line of Walden Avenue (as now laid out); thence southwesterly along the southeast line of Walden Avenue (as now laid out), 568.66 feet to the point of beginning.

AYES: -7-

NOES: -0-

ABSENT: -0-

19

Item No. 23 Moved by Councilman Wroblewski, seconded by Councilman Kornecki,

WHEREAS, the Zoning Board of Appeals has recommended that the application of Elia Paoletti to rezone the hereinafter described premises from that of a Residential District to Business District be denied, be it

RESOLVED, that this Town Board does hereby confirm said recommendation that the said premises remain in a Residential District.

DESCRIPTION

Part of Lot no. 25 T. 11, Range 7, lots No. 7 and 8  
(2657 Harlem Road)

AYES: -7-

NOES: -0-

ABSENT: -0-

19

Item No. 24 Councilman Kornecki moved, seconded by Councilman Fath, 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. 264 to No. 379, inclusive, drawn on the Supervisor.

AYES: -7-

NOES: -0-

ABSENT: -0-

6

Item No. 25 The request of Councilman Bystrak to meet in caucus with the Board on February 5, 1958, at 10 A.M. o'clock, to discuss Pollution and Zoning Ordinances was granted.

42

Item No. 26 Moved by Councilman Neibert, seconded by Councilman Bystrak, to adjourn.

SEAL

KENNETH T. HANLEY  
Town Clerk

*Kenneth T. Hanley*

MEETING NO. 5CHEEKTOWAGA, NEW YORK  
February 17, 1958

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 17th day of February 1958, at 7:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT:	Alancin M. Fath	Councilman
	Joseph Kornecki	Councilman
	Joseph A. Neibert	Councilman
	Stanley R. Bystrak	Councilman
	Felix T. Wroblewski	Councilman

ABSENT:	Benedict T. Holtz	Supervisor
	Joseph M. Trojanoski	Councilman

Also present were: Town Clerk Hanley; Town Attorney Delahunt; Chief of Police Mersmann, and Highway Superintendent Zablotny.

Due to the absence of Supervisor Holtz, the Board went on record and designated Councilman Wroblewski to act as Chairman for this meeting.

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 Referred to Councilman Bystrak the communication from John J. Nasca requesting bus service on Walden Avenue be extended to Walden Avenue and Dick Road to service patrons of the Twin Fair Store. 10

Item No. 4 At the request of the Town Board, Town Engineer Kamm and his associate, Frank Luns, were authorized and directed to attend a meeting of the Erie County Sewer Agency at Lancaster Town Hall on February 19, 1958, at 8 o'clock P.M. 42

Item No. 5 Referred to the Assessors the petition for street lighting equipment in Yvonne Avenue. 17  
27

Item No. 6 Referred to the Town Attorney and the Chairman of the Finance Committee the following suggestion of Councilman Wroblewski:

"When we attended the Association of Towns Convention last week in New York City, I heard one of the speakers talking about finances such as bonding, and borrowing money for various projects in town. He said that there is an easy money market now. Money is plentiful in times as we are experiencing today; therefore, we should take advantage of lower interest rates. In some cases it is 1% less. The Town Board is borrowing money on temporary loans, also on bond anticipation notes. I believe we are presently paying 3%. In my estimation this is too high in these slow times. I will suggest that since we have two commercial banks in town now, we should ask for sealed bids on all monies to be borrowed in the future; therefore, we will be making a saving for the taxpayers, same as we do when we are selling long term bonds."

AYES: -5-

NOES: -0-

ABSENT: -2- 12

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

WHEREAS, the Recreation Department has requested authorization to install a back stop for recreational purposes on the Little League Base Diamond at Genesee Street and Harlem Road, and

WHEREAS, the Smith Fence Co., Inc. has submitted a bid in the amount of Seven Hundred Thirty-seven (\$737.00) Dollars, for the complete installation of said backstop.

BE IT RESOLVED, that the Supervisor be and he hereby is authorized and directed to order the installation as submitted on the attached bid and to make payment accordingly.

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

Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -2-

16

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

WHEREAS, the Recreation Department has requested authorization to install a back stop for recreational purposes on the Little League Baseball Diamond in the rear of the Maryvale Road School, and

WHEREAS, the Smith Fence Co., Inc. has submitted a bid in the amount of Nine Hundred Seventy-seven (\$977.00) Dollars, for the complete installation of said backstop.

BE IT RESOLVED, that the Supervisor be and he hereby is authorized and directed to order the installation as submitted on the attached bid and to make payment accordingly.

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

Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -2-

16

Item No. 9 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 3rd day of February, 1958

#### PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
Lymcrest Terrace	Manlon Terrace	Amherst Town Line

#### TYPE OF STREET LIGHTING INSTALLATION

6 Y 19 Standards with under ground conduit



Item No. 9-Contd.

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

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

NOW, THEREFORE, IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 17th day of March, 1958, 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 Neibert and duly put to a vote which resulted as follows:

Councilman Fath	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Wroblewski	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -2-

17  
27

Posted March 5, 1958:

1. Post in front of No. 100 Lynncrest Terrace
2. Post in front of No. 87 Lynncrest Terrace
3. Post in front of No. 72 Lynncrest Terrace
4. Post in front of No. 43 Lynncrest Terrace
5. Post in front of No. 19 Lynncrest Terrace

(Affidavit)

STATE OF NEW YORK  
COUNTY OF ERIE

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks;  
first publication FEB 27 1958;  
last publication FEB 27 1958;  
and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

day of FEB 27 1958, 19.....

Eve J. Allis

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

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 19 57  
Registered No. 5029

of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, in said Town of Cheektowaga, on the 17th day of February, 1958, at 7:30 o'clock P. M., Eastern Standard Time, there were:

**PRESENT:**

Alancia M. Fath, Councilman  
Joseph Kornecki, Councilman  
Joseph A. Neibert, Council-

man  
Stanley R. Bystrak, Council-

man  
Feliz T. Wroblewski, Council-

**ABSENT:**

Benedict T. Holtz, Supervisor  
Joseph M. Trojanoski, Council-

man  
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 3rd day of February, 1958.

**PUBLIC HIGHWAYS TO BE IMPROVED**

**NAMES OF HIGHWAYS**

Lyncrest Terrace

**FROM**

Manion Terrace

**TO**

Amherst Town Line

**TYPE OF STREET LIGHTING INSTALLATION**

4 Y 19 Standards with under ground conduit.

**WHEREAS**, Edward B. Jerszawski and Andrew H. Jerszawski, Assessors of said Town of Cheektowaga have certified in writing to this board that the above petition is duly filed and acknowledged in the

of said Town of Cheektowaga, Erie County, New York, as improved, as aforesaid.

**WHEREAS**, the portions of the highways to be improved are situated entirely in said Town of Cheektowaga, and are not in any village or city therein.

**THEREFORE**, IT IS **ORDERED** that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 17th day of March, 1958, at 7:30 P. M., Eastern Standard Time to consider the petition and to hear all parties interested in the subject matter concerning the same.

**IT IS FURTHER ORDERED**

that a copy of this order, certified by the Town Clerk, be published at least once in the Cheektowaga Times and the Cheektowaga Herald - Cheektowaga News newspapers 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.

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

Councilman Fath voting **AYE**

Councilman Kornecki voting **AYE**

Councilman Neibert voting **AYE**

Councilman Bystrak voting **AYE**

Councilman Wroblewski voting **AYE**

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STATE OF NEW YORK  
COUNTY OF ERIE

LOCAL 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 17th day of February 1958, at 7:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT:

William M. Fath, Councilman  
Joseph Korenecki, Councilman  
Joseph A. Nobert, Councilman  
Stanley R. Sytrak, Councilman  
Joseph T. Wroblewski, Councilman

ABSENT:

Joseph T. Holtz, Supervisor  
Joseph M. Trojanoski, Councilman  
Stanley R. Sytrak offered the following resolution and moved its adoption:

RESOLVED, a petition for the improvement of both sides of the public highway situated in the Consolidated Lighting District of the Town of Cheektowaga, Erie County, New York, after the vote of the Town Board, voting Aye 5, Nay 0.

Witness my hand and the seal of the County of Erie, New York, this 17th day of February, 1958.

I, Kenneth T. Hanley, Clerk of the Town of Cheektowaga, do hereby certify that I have compared the copy of resolution with the original resolution now on file in the office of the Town Board of the Town of Cheektowaga in said County of Erie, and that the same is a correct true transcript of such resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 17th day of February 1958.  
KENNETH T. HANLEY,  
Clerk of the Town Board, Town of Cheektowaga, N.Y.

Notarized to reduce its size to the size of the original and to be used only for the purpose of filing in the office of the Town Board of the 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 27th day of February, 1958, and the last insertion being on the                      day of                     , 19          , and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

day of

1958

, 19

*T. Hanley*  
able in and for Erie County

Item No. 9-Contd

STATE OF NEW YORK  
COUNTY OF ERIE

At a regular meeting of the Town Board of the Town of Cheektowaga, held on the 17th day of February, 1958, the following resolution was adopted, to-wit: 2

That in 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 in my office, and which was passed by the Town Board of the Town of Cheektowaga on the 17th day of February, 1958, 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 17th day of February 1958.

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

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for One week, the first insertion being on the 27th day of February, 1958, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this \_\_\_\_\_ day of MAR 3 1958, 19\_\_\_\_.

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

STATE OF NEW YORK  
COUNTY OF ERIE

## LEGAL NOTICE

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, in said Town of Cheektowaga, on the 17th day of February 1938, at 7:30 o'clock P.M., Eastern Standard Time, there was present:

Thomas M. Fath, Councilman  
Joseph Korenecki, Councilman  
Joseph A. Nelbert, Councilman  
Joseph R. Bystrak, Councilman  
Joseph W. Wroblewski, Councilman

Present also: T. Holtz, Supervisor  
Joseph M. Trojanoski, Councilman  
Joseph 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 referred to as "the improvement," was set forth, by the installation of street lighting equipment, hereinafter particularly described, was presented to this Town Board on the 3rd day of February,

**PUBLIC HIGHWAYS  
TO BE IMPROVED**  
Amenet Terrace from Manion  
Highway to Amherst Town Line  
**TYPE OF STREET**  
**LIGHTING INSTALLATION**  
By 12 Standards with under  
ground conduit.

WHEREAS, Edward B. Jernow, and Andrew H. Schwenk, Assessor of said Town of Cheektowaga, have certified in writing to the Board that the above petition was 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 on each side of each of the highways to be improved, as shown on the map.

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

THEREFORE, IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga do hereby certify that the Town Board of the Town of Cheektowaga, in said County of Erie, on the 17th day of February, 1938, at 7:30 P.M., Eastern Standard Time to consider the petition and to hear all persons interested in the subject of the improvement of the highways concerning the same, and

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the Cheektowaga News and The Depew Herald.

Cheektowaga News newspapers, having a general circulation in the Town of Cheektowaga, of not less than ten (10) nor more than twenty (20) days before the day set herein for the hearing.

and that copies of this order, be posted conspicuously in public places on each of the highways to be improved not less than ten (10) nor more than twenty (20) days before the day set for the hearing as aforesaid.

Whereupon Councilman Nelbert moved the matter be put to a vote which resulted as follows:

Councilman Fath voting Aye  
Councilman Korenecki voting Aye  
Councilman Nelbert voting Aye  
Councilman Bystrak voting Aye  
Councilman Wroblewski voting Aye

Ayes: 5; Noes: 0  
Absent: 2

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 17th day of February, 1938, 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 17th day of February 1938.

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

RICHARD G. BENNETT

Item No. 10 Moved by Councilman Bystrak, seconded by Councilman Kornecki, that Henry Newman of No. Cheektowaga, New York, be appointed as a General Maintenance Man in the Incinerator Plant, and to perform all other duties designated by the Town Board at a salary of \$4,900.00 per annum, effective February 18, 1958.

AYES: -5-

NOES: -0-

ABSENT: -2-

26  
31

Item No. 11 Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, the Town Board of the Town of Cheektowaga has requested the Erie County Highway Department to approve a change in the signal at Kensington Avenue and Kenview Boulevard, and

WHEREAS, the Erie County Highway Department, by letter of January 3, 1958, has indicated that they would approve a traffic actuated signal at this intersection.

BE IT RESOLVED, that the Supervisor be and he hereby is authorized and directed to contract with Reynders Electric for the installation of the traffic actuated signal at the intersection of Kensington Avenue and Kenview Boulevard and that the Supervisor be authorized to make payment accordingly, and be it further

RESOLVED, that the Town Clerk be and he hereby is authorized and directed to submit a certified copy of this resolution to the Erie County Highway Department.

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

Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -2-

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Item No. 12 Moved by Councilman Neibert, seconded by Councilman Kornecki,

WHEREAS, on the 3rd day of February, 1958, the Town Board of the Town of Cheektowaga received and opened sealed bids for the purchase of a Sedan Delivery Truck for use of the Dog Wardens,

WHEREAS, Suor-Keller Chevrolet, Inc., of Cheektowaga, was the low bidder in the amount of \$1,657.11, be it

RESOLVED, that the Supervisor be authorized and directed to purchase a Sedan Delivery Truck for use of the Dog Wardens from Suor-Keller Chevrolet, Inc., at the aforementioned price.

AYES: -5-

NOES: -0-

ABSENT: -2-

Item No. 13 Moved by Councilman Bystrak, seconded by Councilman Neibert, that the following named persons be appointed to the Plumbing Board of Examiners for the Town of Cheektowaga, said terms to expire on December 31, 1958:

Councilman Felix T. Wroblewski  
Councilman Alancin M. Fath  
Building & Plumbing Inspector Carl J. Trafalski  
Dr. Louis M. Vendetti  
Joseph Bessczynski, Plumber,  
213 Gates Avenue, Sloan, N. Y.  
Benj. Zablotny, Plumber  
1029 Walden Avenue, Cheektowaga, N. Y.

FURTHER RESOLVED, that Joseph Bessczynski and Benj. Zablotny be compensated in the amount of \$50.00 for their services.

AYES: -5-

NOES: -0-

ABSENT: -2-

31

Item No. 14 Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, a written petition was duly filed with this Board for the improvement of that portion of Goering Avenue extending from Union Road east approximately nine hundred forty-one (941) feet, and that portion of Union Road extending from Goering Avenue north approximately two hundred ninety-four (294) feet to Zoerb Avenue, by the construction of a lateral sewer in said portions of said highways to serve properties on both sides of said portion of Goering Avenue to be so improved, and to serve properties on the east side of that portion of Union Road to be so improved, and

WHEREAS, it duly appears that such petition has been signed by owners of real estate fronting or abutting on both sides of said portion of Goering Avenue to be improved as aforesaid, and on the east side of said portion of Union Road to be improved as aforesaid, owning at least one-half of the frontage or bounds on both sides of said portion of Goering Avenue to be so improved, and owning at least one-half of the frontage or bounds on the east side of said portion of Union Road to be so improved, and has been signed by resident owners residing along said portion of both sides of Goering Avenue to be so improved and by resident owners residing along the east side of said portion of Union Road to be so improved owning not less than one-half of the aggregate frontage owned by resident owners, and

WHEREAS, such petition was duly acknowledged or proved by all of the signers in the same manner as a deed to be recorded, and

WHEREAS, the maximum amount proposed to be expended for the improvement of said portions of said highways as stated in the petition, is the sum of \$10,300.

NOW, THEREFORE,

BE IT RESOLVED, pursuant to the provisions of Section 199 of the Town Law of the State of New York, it is hereby

ORDERED, that the Town Board of the Town of Cheektowaga, Erie County, New York, shall meet at the Town Hall, corner of Broadway and Union Road in said Town, on the 3d day of March, 1958, at 2:30 o'clock P.M., Eastern Standard Time, for the purpose of considering the said petition and hearing all persons interested in the subject thereof concerning the same, and be it further

RESOLVED AND ORDERED, that the Town Clerk be and he hereby is ORDERED AND DIRECTED to publish a certified copy of this resolution and order in the DEPEW HERALD AND CHEEKTOWAGA NEWS, a newspaper published and having a general circulation in the Township, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that on or before said date he post conspicuously or cause to be posted conspicuously certified copies of this order in five (5) public places along said portion of said Goering Avenue to be improved as aforesaid, and in five (5) public places along the east side of said portion of said Union Road to be improved as aforesaid.

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

Councilman Neibert	Voting AYE
Councilman Fath	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Kornecki	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -2-

Posted February 20, 1958 as follows:

1. Telephone Pole No. 1829 Goering Ave.
  2. Telephone Pole No. 2                   "                   "
  3. Telephone Pole No. 3                   "                   "
  4. Telephone Pole No. 4                   "                   "
  5. Telephone Pole No. 5                   "                   "
- 
1. Post at the corner of Goering Avenue and Union Road;
  2. Post in front of No. 3425 Union Road;
  3. Telephone Pole in front of No. 3527 Union Road;
  4. Tree in front of No. 3527 Union Road;
  5. Post at the corner of Union Road and Zoerb Avenue.

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Item No. 14-Cont'd.

(Affidavit)

...and duly put to a vote which resulted as follows:  
Councilman Nisbett, voting Aye  
Councilman Fash, voting Aye  
Councilman Wroblewski, voting Aye  
Councilman Bystrak, voting Aye  
Councilman Kornecki, voting Aye  
Ayes: 5; Noes: 0; Absent: 2.  
State of New York )  
County of Erie ) ss:  
I, KENNETH T. HANLEY, Town Clerk of the Town hereinafter described, DO HEREBY CERTIFY as follows:  
1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on February 17, 1958, and minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at page No. A-33, inclusive, of said book.  
2. I have compared the attached extract with said minutes so recorded and said extract is a true copy of said minutes and of the contents thereof insofar as said minutes relate to matters referred to in said Extract.  
3. Said minutes correctly state the time when said meeting was convened, the place where such meeting was held and the persons who were present and who acted as presiding officer and secretary at said meeting, and that the same have been without objection, duly read and approved by the Board of the Town of Cheektowaga, Erie County, New York, on the 17th day of February, 1958.

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 20th day of February, 1958, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

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

*February* 1958  
*Kenneth T. Hanley*

Notary Public in and for Erie County

NOTICE OF HEARING  
Extracts From Minutes of  
Town Board

RICHARD G. BENNETT

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, corner of Broadway and Union Road in said town, on the 17th day of February, 1958, at 7:30 o'clock P.M., Eastern Standard Time, there were

PRESENT:

Joseph A. Nelbert, Councilman  
Alvin Fath, Councilman  
Harry T. Wroblewski, Councilman  
Stanley E. Bystrak, Councilman  
Joseph Kornecki, Councilman

ABSENT:

Samuel T. Holtz, Supervisor

Joseph M. Trojanoski, Councilman

Councilman Nelbert presented the following resolution and moved its adoption:

WHEREAS, a written petition was duly filed with this Board for the improvement of that portion of Goering Avenue extending from Union Road east approximately nine hundred forty-one (941) feet, and that portion of Union Road extending from Goering Avenue north approximately two hundred twenty-four (204) feet to Zoerb Avenue, by the construction of a lateral sewer in said portions of said highways to serve properties on both sides of said portion of Goering Avenue to be so improved, and to serve properties on the east side of that portion of Union Road to be so improved, and

WHEREAS, it duly appears that such petition has been signed by owners of real estate fronting or abutting on both sides of said portion of Goering Avenue to be improved as aforesaid, and on the east side of said portion of Union Road to be improved as aforesaid, owning at least one-half of the frontage or bounds on both sides of said portion of Goering Avenue to be so improved, and owning at least one-half of the frontage or bounds on the east side of said portion of Union Road to be so improved, and has been signed by resident owners residing along said portion of Goering Avenue to be so improved and by resident owners residing along the east side of said portion of Union Road to be so improved owning not less than one-half of the aggregate frontage owned by resident owners

WHEREAS, such petition was duly acknowledged or proved by the signers in the same manner as a deed to be recorded, and

WHEREAS, the maximum amount proposed to be expended for the improvement of said portions of said highways as stated in said petition is the sum of \$10,300,

THEREFORE,

IT IS RESOLVED, pursuant to the provisions of Section 139 of the Town Law of the State of New York, that it is hereby

ORDERED, that the Town Board of the Town of Cheektowaga, Erie County, New York, do meet at the Town Hall, corner of Broadway and Union Road in said town, on the 3rd day of March, 1958, at 2:30 o'clock P.M., Eastern Standard Time, for the purpose of considering the said petition and hearing all persons interested in the subject thereof concerning the same, and to be further

ORDERED AND ORDERED, that the Town Clerk be and he is ORDERED AND DIRECTED to publish a certified copy of this resolution and order in the DEFEW HERALD AND CHEEKTOWAGA NEWS, a newspaper published and having a general circulation in the Township, 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 be post conspicuously or cause to be posted conspicuously, certified copies of this order in five (5) public places along said portion of said Goering Avenue to be improved as aforesaid, and in five (5) public places along the east side of said portion of said Union Road to be improved as aforesaid.

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

Councilman Nelbert, voting Aye  
Councilman Fath, voting Aye  
Councilman Wroblewski, voting Aye  
Councilman Bystrak, voting Aye  
Councilman Kornecki, voting Aye

Ayes: 5; Noes: 0; Absent: 2.  
State of New York )  
County of Erie ) ss:

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on February 17, 1958, and minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at page No. A-86, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 17 day of February, 1958.

KENNETH T. HANLEY,  
Town Clerk

(seal)

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Item No. 15 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 17th day of February, 1958, at 7:30 o'clock P.M., Eastern Standard Time, there were

PRESENT: Joseph A. Neibert	Councilman
Felix T. Wroblewski	Councilman
Stanley R. Bystrak	Councilman
Joseph Kornecki	Councilman
Alancin Fath	Councilman

ABSENT: Benedict T. Holtz	Supervisor
Joseph M. Trojanoski	Councilman

Councilman Fath presented the following resolution and moved its adoption:

WHEREAS, the C. L. Baynes Sales Co. has submitted a bid in the amount of Three Hundred Eighty-two Dollars and Fifty-five Cents (\$382.55) for the installation of eleven (11) radiator shields in the Town Hall offices, which will complete the installation of shields in the Town Hall.

BE IT RESOLVED, that the Supervisor be and he hereby is authorized and directed to contract with C. L. Baynes Sales Co. for the installation of the eleven (11) radiator shields at a cost of \$382.55 and that the Supervisor be authorized to make payment accordingly.

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

Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -2- <sup>1</sup>/<sub>3</sub>

Item No. 16 Moved by Councilman Neibert, seconded by Councilman Wroblewski, that the Town Clerk be authorized and directed to issue all building permit applications processed by the Petitions Committee on February 8, 1958 and February 15, 1958, after same have been approved by the Building Inspector.

AYES: -5-

NOES: -0-

ABSENT: -2- <sup>15</sup>/<sub>35</sub>

Item No. 17 Councilman Kornecki 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. 380 to Warrant No. 455, inclusive, drawn on the Supervisor.

AYES: -5-

NOES: -0-

ABSENT: -2- <sup>6</sup>

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

WHEREAS, Peter Santin Construction Co., Inc. has entered into an Agreement with the Town of Cheektowaga, New York, wherein said Peter Santin Construction Co., Inc. has agreed to place topping on the following described highways:

Item No. 18-Cont'd.

Nagel Drive - extending north approximately 600 feet from George Urban Boulevard to the school district property.  
Santin Drive - extending approximately 1170 feet from Nagel Drive to Nadine Drive.  
Nadine Drive - extending west approximately 930 feet from Nagel Drive to Santin Drive, as shown on map filed in the Erie County Clerk's Office under Cover No. 2063.

and

WHEREAS, Peter Santin Construction Co., Inc. has agreed, where necessary, to reconstruct the foundation of said highway and complete the same so that the said highways will conform in every respect with the specifications of the Town Highway Department, a total distance of approximately 2700 feet, and has filed as security for the faithful performance of said agreement a surety bond in the sum of Thirty Thousand Two Hundred (\$30,200.00) Dollars, conditioned that it will comply in all respects with the aforementioned agreement.

BE IT RESOLVED, that the Supervisor be and he hereby is authorized to execute the annexed agreement between Peter Santin Construction Co., Inc. and the Town of Cheektowaga, New York, and be it further

RESOLVED, that said described highways be accepted as Town highways under the jurisdiction of the Town Highway Superintendent, and be it further

RESOLVED, that said agreement, having been approved as to form and the bond as to sufficiency by the Town Attorney and the Town Highway Superintendent, that the Town Attorney be and he hereby is authorized to accept and record a deed to the Town of Cheektowaga for said highway.

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

Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -2-

13

AGREEMENT

This Agreement made this 17th day of February, 1958, by and between the Town of Cheektowaga, a municipal corporation of the State of New York, with its office and principal place of business located in the County of Erie, State of New York, party of the first part and Peter Santin Construction Co., 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 3685 Harlem Road, Buffalo 15, New York, party of the second part;

WITNESSETH:

WHEREAS, the party of the second part is the owner of the abutting property on Nagel Drive extending north approximately 600 feet from George Urban Boulevard to the school district property, Santin Drive extending approximately 1700 feet from Nagel Drive to Nadine Drive and Nadine Drive extending west approximately 930 feet from Nagel Drive to Santin Drive, as shown on map filed in the Erie County Clerk's Office under Cover No. 2063, and

WHEREAS, the party of the second part has constructed the foundation for the highways and has also constructed in said highways, sanitary sewers and will enter into a contract with the Erie County Water Authority for the construction of water lines in said highways and will pay the Erie County Water Authority the cost thereof, and

Item No. 18-Cont'd. WHEREAS, the party of the second part has requested the Town of Cheektowaga to accept as town highways Nagel Drive extending north approximately 600 feet from George Urban Boulevard to the school district property, Santin Drive extending approximately 1700 feet from Nagel Drive to Nadine Drive and Nadine Drive extending west approximately 930 feet from Nagel Drive to Santin Drive, as shown on map filed in the Erie County Clerk's Office under Cover No. 2063 and has agreed to enter into a contract with the Town of Cheektowaga, 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 Nagel Drive extending north approximately 600 feet from George Urban Boulevard to the school district property, Santin Drive extending approximately 1700 feet from Nagel Drive to Nadine Drive and Nadine Drive extending west approximately 930 feet from Nagel Drive to Santin Drive, on or before January 28th, 1959. 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 \$30,200.00, 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 January 28, 1959, or upon such date as designated by the Highway Superintendent of the Town of Cheektowaga, New York. In the event the party of the first part is authorized to complete said highways 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, in the event said sum of \$30,200.00 is insufficient to pay such cost, then the party of the second part hereby agrees to pay the sum required in excess of that amount, it is however,

AGREED, that the maximum liability of the Surety Company is limited to the sum of Thirty Thousand Two Hundred (\$30,200.00) Dollars.

Upon filing with the Town Board an 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

PETER SANTIN CONSTRUCTION CO., INC.

By: Peter Santin, pres.

Item No. 19 Moved by Councilman Fath, seconded by Councilman Kornecki, that this meeting adjourn until 7:30 P.M., E.S.T., on February 24, 1958.

SEAL

KENNETH T. HANLEY  
Town Clerk

*Kenneth T. Hanley*

MEETING NO. 6

Cheektowaga, New York  
February 24, 1958

Item No. 1 At a regular adjourned 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 24th day of February, 1958, at 7:30 o'clock P.M., Eastern Standard Time, there were

PRESENT: Benedict T. Holts	Supervisor
Alancin M. Fath	Councilman
Felix T. Wroblewski	Councilman
Joseph Kornecki	Councilman
Joseph A. Neibert	Councilman

ABSENT: Joseph M. Trojanoski	Councilman
Stanley R. Bystrak	Councilman

Also present were: Town Clerk Hanley, Town Attorney Delahunt, and Chief of Police Mersmann.

Item No. 2 The Clerk advised the Board that the Maryvale High School will hold a Town Government Day at the Town Hall on March 3, 1958.

Item No. 3 Referred to the Town Attorney Communication from the Board of Assessors advising the Board that there is a majority of signatures to change the name of Park Street to Ursa Place.

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32

Item No. 4 Councilman Fath presented the following resolution and moved its adoption:

WHEREAS, the Board of Fire Commissioners of U-Crest Fire District No. 4 has submitted, in accordance with the attached letter, a request for hydrant installations.

BE IT RESOLVED, that the Erie County Water Authority be requested to make the installation, in accordance with the letter of the Board of Fire Commissioners of U-Crest Fire District No. 4.

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

Supervisor Holts	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -2-

22

Item No. 5 Councilman Wroblewski moved, seconded by Councilman Fath, that the Town Clerk be authorized and directed to request the Erie County Highway Superintendent for permission to erect a traffic signal light at the intersection of Harlem Road, Corey Court, and Mafalde Drive, Town of Cheektowaga, New York; the request for said traffic signal light was made by the Board of Trustees of the Cleveland Hill School District No. 3

AYES: -5-

NOES: -0-

ABSENT: -2-

41  
9

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

WHEREAS, Regina Piechowicz, a resident of the Town of Cheektowaga, recently received one of six Brotherhood Awards presented by the Buffalo Chapter of the National Conference of Christians and Jews in observance of National Brotherhood Week, and

Item No. 6-Cont'd. WHEREAS, such award has brought great credit to Mrs. Piechowicz, her family, and the entire Town of Cheektowaga.

BE IT RESOLVED, that in recognition of this admirable achievement of Mrs. Piechowicz, that the Town Board present a plaque to her in commemoration of this event.

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

Supervisor Holtz	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -2-

42

Item No. 7 Councilman Wroblewski moved, seconded by Councilman Kornecki,

RESOLVED, that the moratorium on the issuance of permits for gasoline stations be extended to May 1, 1958, pending further study.

AYES: -5-

NOES: -0-

ABSENT: -2-

15

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

WHEREAS, the Bond Resolutions hereinafter referred to have taken effect in accordance with law, and the Town Board desires to make provision for the issuance of the bonds authorized by said Bond Resolution; HOW, 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 \$800,000 shall be issued pursuant to the bond resolution entitled "Bond Resolution Dated October 7, 1957, Authorizing the Issuance of \$1,200,000 Serial Sewer District No. 7 Bonds of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law", which was adopted by the Town Board on October 7, 1957. Said Bonds shall be designated "Serial Sewer District No. 7 Bonds, Series A of 1958", and shall consist of eight hundred (800) bonds of the denomination of \$1,000 each, numbered from 1 to 800, inclusive, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on January 1 in each year as follows, viz.: \$22,000 in each of the years 1959 to 1972, inclusive; \$30,000 in the year 1973; and \$33,000 in each of the years 1974 to 1987, inclusive.

(2) Bonds of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$55,000 shall be issued pursuant to the bond resolution entitled "Bond Resolution, Dated October 7, 1957, Authorizing the Issuance of \$110,000 Serial Bonds of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law", which was adopted by the Town Board on October 7, 1957. Said bonds shall be designated "Serial Sewer District No. 5 Bonds, Series A of 1958", and shall consist of fifty-two (52) bonds of the denomination of \$1,000 each, numbered 1, 3, 5, 7, 9, 11, 13, and 14 to 58, inclusive, and six (6) bonds of the denomination of \$500 each, numbered 2, 4, 6, 8, 10, and 12, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on January 1 in each year as follows, viz.: \$1,500 in each of the years 1959 to 1964, inclusive; and \$2,000 in each of the years 1965 to 1987, inclusive.

Item No. 8-Cont'd.

(3) Bonds of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$90,000 shall be issued pursuant to the bond resolution entitled, "Bond Resolution, Dated December 2, 1957, Authorizing the Issuance of \$125,000 Serial Drainage District No. 5 Bonds of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law", which was adopted by the Town Board on December 2, 1957. Said bonds shall be designated "Serial Drainage District No. 5 Bonds, Series A of 1958", and shall consist of seventy-eight (78) bonds of the denomination of \$1,000 each, numbered 1, 2, 4, 5, 7, 8, 10, 11, 13, 14, 16, 17, 19, 20, 22, 23, 25, 26, 28 to 45, inclusive; 47, 48, 49, 51, 52, 53, 55, 56, 57, 59, 60, 61, 63, 64, 65, 67, 68, 69, 71, 72, 73, 75, 76, 77, 79, 80, 81, 83, 84, 85, 87, 88, 89, 91, 92, 93, 95, 96, 97, 99, 100, 101, and twenty-four (24) bonds of the denomination of \$500 each, numbered 3, 6, 9, 12, 15, 18, 21, 24, 27, 46, 50, 54, 58, 62, 66, 70, 74, 78, 82, 86, 90, 94, 98, and 102, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on January 1 in each year as follows, viz.: \$2,500 in each of the years 1959 to 1967, inclusive; \$3,000 in each of the years 1968 to 1972, inclusive; and \$3,500 in each of the years 1973 to 1987, inclusive.

(4) Bonds of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$67,000 shall be issued pursuant to the bond resolution entitled "Bond Resolution, dated October 7, 1957, Authorizing the Issuance of \$76,000 Serial Bonds of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law, to Finance Construction of Water Supply System in Extension of Water District No. 9", which was adopted by the Town Board on October 7, 1957. Said Bonds shall be designated "Serial Water District No. 9 Bonds, Series A of 1958", and shall consist of sixty-seven (67) bonds of the denomination of \$1,000 each, numbered 1 to 67, inclusive, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on January 1 in each year as follows, viz.: \$2,000 in each of the years 1959 to 1978, inclusive; and \$3,000 in each of the years 1979 to 1987, inclusive.

(5) Bonds of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$44,000 shall be issued pursuant to the bond resolution entitled "Bond Resolution, Dated August 20, 1956, Authorizing the Issuance of \$55,000 Serial Bonds of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law, to Finance the Acquisition of vehicles for Use of the Consolidated Refuse and Garbage District of the Town", which was adopted by the Town Board on August 20, 1956. Said bonds shall be designated "Serial Consolidated Refuse and Garbage District Bonds, Series A of 1958", and shall consist of forty-four (44) bonds of the denomination of \$1,000 each, numbered 1 to 44, inclusive, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on January 1 in each year as follows, viz.: \$12,000 in the year 1959 and \$16,000 in each of the years 1960 and 1961. The Town Supervisor is hereby directed to pay bond anticipation notes in the amount of \$9,628 now outstanding issued in anticipation of the issuance of the bonds authorized by said bond resolution, at the time of or prior to the issuance of said bonds, from monies now on hand which are available for the making of such payment and which were not obtained by the issuance of bonds.

(6) Bonds of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$12,000 shall be issued pursuant to the bond resolution entitled "Bond Resolution, Dated October 7, 1957, Authorizing the Issuance of \$12,000 Serial Bonds of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law, to Finance the Construction of Curbs on Treehaven Road", which was adopted by the Town Board on October 7, 1957. Said bonds shall be designated "Serial Treehaven Curbing Bonds", and shall consist of twelve (12) bonds of the denomination of \$1,000 each, numbered from 1 to 12, inclusive, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on January 1 in each year as follows, viz.: \$3,000 in each of the years 1959 to 1962, inclusive.



Item No. 8-Cont'd.

(7) Bonds of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$9,000 shall be issued pursuant to the bond resolution entitled "Bond Resolution, Dated October 7, 1957, Authorizing the Issuance of \$9,000 Serial Bonds of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law, to Finance the Construction of Curbs on Walton Drive", which was adopted by the Town Board on October 7, 1957. Said bonds shall be designated "Serial Walton Drive Curbing Bonds", and shall consist of nine (9) bonds of the denomination of \$1,000 each, numbered from 1 to 9, inclusive, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on January 1 in each year as follows, viz.: \$2,000 in each of the years 1959 to 1961, inclusive; and \$3,000 in the year 1962.

(8) 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 January 14, 1957, Authorizing the Issuance of \$95,000 Serial Bonds of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law", which was adopted by the Town Board on January 14, 1957, and which bonds are to be issued in addition to the issue of \$85,000 of bonds heretofore issued pursuant to the aforementioned bond resolution. Said bonds shall be designated "Serial Sewer District No. 5 Bonds, Series B of 1958", and shall consist of three (3) bonds of the denomination of \$1,000 each, numbered from 1 to 3, inclusive, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on January 1 in each year as follows, viz.: \$1,000 in each of the years 1959 to 1961, inclusive.

(9) All of said bonds shall be dated January 1, 1958, and shall bear interest from their date at a rate which shall not exceed five percent (5%) per annum. Such interest shall be payable semi-annually on January 1 and July 1.

(10) 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.

(11) Each of said bonds shall be payable to bearer with coupons attached for the payment of interest to bearer, and such bond shall be convertible into a registered bond. Each of said bonds shall be executed by the Town Supervisor of said Town and shall be attested by the Town Clerk of said Town. Each of said bonds shall be sealed with the seal of said Town. Each of the interest coupons to be attached to said bonds shall be authenticated by the facsimile signature of said Town Supervisor.

(12) 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.

(13) 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.

(14) The resolution heretofore adopted by this Town Board on January 20, 1958, relating to the issuance of the bonds hereinabove referred to and authorized, is hereby rescinded.

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

Supervisor Holts	Voting AYE
Councilman Neibert	Voting AYE
Councilman Fath	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Kornecki	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -2-

12

Item No. 9 Councilman Kornecki presented the following resolution and moved its adoption:

WHEREAS, the Town Highway Department has requested the Town Board to purchase one 1958 3/4 Ton Pick-up Truck 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 one 1958 3/4 Ton Pick-up Truck to meet the specifications referred to in the Notice to Bidders, which purchase is to be taken out of Item No. 3 of the Highway Fund, and be it further

RESOLVED, that the Town Clerk publish the annexed Notice to Bidders in the DEPEW HERALD AND CHEEKTOWAGA NEWS, a newspaper having a general circulation in the Township, 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 March 17, 1958, 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, Broadway & 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 one 1958 3/4 Ton Pick-up Truck 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 March 17, 1958, at which time they will be publicly opened by the Town Board at a public meeting called for the 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: February 24, 1958

KENNETH T. HANLEY  
Town Clerk

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

Supervisor Holtz	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -2-

13

Six cylinder  
50 Ampere Alternator Generator and Defroster  
Signals  
R and H Tail Light  
Roof Aetena for short wave radio.

Hereto attached is a affidavit of publication:

STATE OF NEW YORK  
COUNTY OF ERIE

ss:

**NOTICE TO BIDDERS**  
The Town of Cheektowaga hereby requires sealed bids for the purchase of one 1958 3/4 Ton Pick-up Truck 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 March 17th, 1958, at which time they will be publicly opened by the Town Board at a public meeting called for the 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 details 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.  
Witness my hand and seal of office this 24th day of February, 1958.  
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 ..... *27th* day of .. *February* .., 19*58*, and the last insertion being on the ..... day of .., 19....., and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

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

*MAR 3* 19*58*, 19.....

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

Item No. 10 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. 456 to Warrant No. 527, inclusive,  
drawn on the Supervisor.

AYES: -5-

NOES: -0-

ABSENT: -2-

6  
35

Item No. 11 Moved by Councilman Kornecki, seconded by Councilman Wroblewski, to adjourn.

SEAL

Kenneth T. Hanley, Town Clerk.

*Kenneth T. Hanley*

MEETING NO. 7Cheektowaga, New York  
March 3, 1958

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 3rd day of March, 1958, at 2:30 o'clock P.M., Eastern Standard Time, there were

PRESENT: Benedict T. Holtz	Supervisor
Alancin M. Fath	Councilman
Felix T. Wroblewski	Councilman
Joseph Kornecki	Councilman
Joseph A. Neibert	Councilman
Stanley R. Bystrak	Councilman

ABSENT: Joseph M. Trojanoski Councilman

Also present were: Town Clerk Hanley; Town Attorney Delahunt; Chief of Police Mersmann; Receiver of Taxes and Assessments Pfohl, and Tax Clerk LeRoy Reece.

Item No. 2 Communication read from the Department of Audit and Control approving the Extension of Fire District No. 4 (Southerly Extension). Ordered received and filed.

Item No. 3 The following communication was read:

11 Danforth St.  
Cheektowaga 25, N. Y.  
March 1, 1958

Cheektowaga Town Board  
Cheektowaga, N. Y.

Dear Sirs,

I wish to remind you of the terms of the three-party agreement made among the members of the Town Board, the Board of Cheektowaga Central School Dist. #1 and myself, from February 8-10, 1958 inclusive.

By this agreement, the Town of Cheektowaga received an easement for the trunk sewer across my property from Union Road to the N.Y. State Thruway, just ahead of the transfer of this property from me to the School District. Among the terms of the agreement, was a provision that the town establish a formula for taxation of Sewer Dist. #7, prior to the sale of bonds.

As the bonds are scheduled to be sold about March 10, 1958, this formula must be determined at the regular meeting on March 3, or at a special meeting called for the purpose, prior to the sale of the bonds.

The School Board and I have completed the terms of the agreement. As the terms of the agreement were the consideration for my granting the easement to the town, I suggest that the Town Board complete its portion of the agreement, so that there will be no question concerning the legality of the easement for the trunk sewer- which incidentally had already been completed prior to my authorization from the owner of the property.

By acquiring this easement, the Town avoided a referendum of the residents of Cheektowaga Central School Dist #1. The result of such a referendum was questionable. The Town was thus assured of its easement, by my action, with the approval of the School Board.

A copy of the agreement by which I granted the easement is attached, along with a copy of the approval of the easement by the School Board.

I hope that you will act to complete your portion of the agreement, in accordance with its terms, on Monday March 3, 1958.

Very truly yours,

(Signed) Victor Reinstein

Dr. Victor Reinstein

Item No. 3-Cont'd.

CONDITIONS ON WHICH VICTOR REINSTEIN AGREES  
TO SIGN AND DELIVER SEWER EASEMENT TO THE TOWN  
PRIOR TO CLOSING WITH THE SCHOOL DISTRICT.

- (1) The terms of the easement shall be acceptable to the School Board, acceptability to be expressed by an official resolution of the Board, and Reinstein to receive a certified copy of same.
- (2) Supervisor Holtz shall go along with the promise made by five (5) Board members at an informal Board meeting Saturday, February 8, 1958, that (a) the Board will discuss the formula for Sewer District No. 7 at their caucus on Friday, February 14th; (b) that the Board will informally agree at an unofficial meeting of the Board members, to be held during the week of February 17th (c) that the Board will officially adopt the formula for Sewer District No. 7 at the first official meeting after the above mentioned meeting; said adoption to be prior to the sale of the bonds.  
(At the informal meeting on February 7th, persons present were Councilman Bystrak, Kornecki, Neibert, Trojanoski and Wroblewski; Attorney Delahunt; Taxpayers Musarra, Gentile, Santine and Reinstein.)
- (3) That the Board shall (a) exclude the Scajaquada Creek bed strip from Sewer District No. 7 taxes during such period that it is being considered for flood control use; (b) That the "Reinstein Lake" shall either be considered in the exclusion from sewer taxes or permission given to fill it and use for future development. If excluded from sewer taxes, Reinstein agrees to hold it a reasonable length of time during which its necessity for flood control retention basis is considered. If Reinstein is required by the Town to fence it, then agreement to hold for flood control will cease, and Reinstein will be permitted to fill it and develop it.

EXTRACTS FROM MINUTES OF BOARD OF EDUCATION

At a regular meeting of the Board of Education of Central School District No. 1 of the Town of Cheektowaga, in Erie County, New York, held at the Pine Hill High School at 1635 East Delavan Avenue in said School District, on the 10th day of February, 1958, at 9:00 o'clock P.M.

PRESENT: William Passmore            President  
          Clemens Wenerowicz  
          Franklin Rau  
          Robert Nagowski

ABSENT: Richard Perry  
          Arthur Stark  
          Elgie Schlienz

Mr. Franklin Rau offered the following resolution and moved its adoption:

WHEREAS, the School Board has examined the proposed easement to be granted by Victor Reinstein and Anna M. Reinstein Memorial Inc. to the Town of Cheektowaga for the trunk sewer which extends through the land presented owned by Dr. Reinstein and Anna M. Reinstein Memorial Inc. and has given due consideration to it and,

WHEREAS, this Board has determined that the granting of such easement is in the best interests of the School District in connection with the acquisition of the Reinstein properties and the other properties being acquired for a school site,

Item No. 3-Cont'd.

NOW, THEREFORE, BE IT RESOLVED that this School Board approves the said easement and that it be conveyed to the Town of Cheektowaga by Victor Reinstein and Anna M. Reinstein Memorial Inc. prior to the taking of title to the Reinstein property by the School District and,

BE IT FURTHER RESOLVED that a copy of such easement be made a part of the permanent records of the School District.

The motion was seconded by Mr. Clemens Wenerowicz.

SEAL

SCHOOL DISTRICT CLERK

Ordered referred to the Town Board.

Item No. 4 Councilman Neibert presented the following resolution and moved its adoption:

BE IT RESOLVED, that Casimer Szalwinski and Henry Rybarczyk, who have been promoted to drivers in the Sanitation Department effective March 3, 1958, be paid at the drivers rate of \$2.08 1/2 per hour.

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

Supervisor Holtz	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

31  
26

Item No. 5 Councilman Kornecki presented the following resolution and moved its adoption:

WHEREAS, the Town Board has studied the advisability of investing certain town funds on a short term basis and unanimously recommend the same, and

WHEREAS, the town auditor has checked the assets of the Town which are available for short term investments and has advised the Town Board that the following assets are available for investment.

General Fund

\$100,000.00 for six (6) months

\$150,000.00 for three (3) months

Highway Item No. 1

\$ 40,000.00 for six (6) months

\$ 60,000.00 for three (3) months

Special District Funds

\$200,000.00 for six (6) months

\$300,000.00 for three (3) months

Making a total of \$340,000.00 for six (6) months and \$510,000.00 for three (3) months for a grant total of \$850,000.00, and

WHEREAS, the Town Attorney has checked the legality of such investments, and

WHEREAS, the Marine Trust Company has submitted the most advantageous proposal for said investment, namely 2% on the 3 months period and 2-1/2% on the 6 months period.

Item No. 5-Cont'd.

WHEREAS, these monies will not be needed for Town purposes for the period specified.

BE IT RESOLVED, that the Supervisor be and he hereby is authorized and directed to invest the amounts above specified in accordance with the provisions of Section 11 of the General Municipal Law, and the proposal of the Marine Trust Co.

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

Supervisor Holtz	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

2  
12

Item No. 6 Moved by Councilman Fath, seconded by Councilman Neibert, that the request of the Cheektowaga Chamber of Commerce to conduct its annual Easter Egg Hunt on April 6, 1958, be granted, and be it

FURTHER RESOLVED, that in case of inclement weather the event be held on the following Sunday, namely, April 13, 1958.

AYES: -6-

NOES: -0-

ABSENT: -1-

40

Item No. 7 Moved by Councilman Kornecki, seconded by Councilman Neibert, that the Chief of Police be authorized and directed to purchase a new radio for the Dog Warden Truck at a cost not to exceed \$550.00.

AYES: -6-

NOES: -0-

ABSENT: -1-

18

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

WHEREAS, the Town of Cheektowaga must submit the sum of \$13,659.58 to the New York State Social Security Department in order to match the retroactive payments of Town employees from June 16, 1956 to December 31, 1957.

BE IT RESOLVED, that the Supervisor be and he hereby is authorized to submit a payment in the amount of \$13,659.58 from the General Fund of the Town of Cheektowaga to the New York State Social Security Department.

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

Supervisor Holtz	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

20

Item No. 9 Councilman Kornecki presented the following resolution and moved its adoption:

WHEREAS, the residents of Park Street, which runs southerly from Como Park Boulevard, have requested that the street be changed to Ursa Place, and

WHEREAS, a petition signed by 75% of the owners has been submitted requesting this change.



Item No. 9-Cont'd.

BE IT RESOLVED, that Park Street be changed to Ursa Place and that the Highway Department and the Town Clerk and other town departments revise their records accordingly.

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

Supervisor Holtz	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

17  
13

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

WHEREAS, it is the intention of the Town Board of the Town of Cheektowaga, Erie County, New York, to establish a Recreation Youth Project, and

WHEREAS, the Town of Cheektowaga is about to submit an application for such a project to the New York State Youth Commission for its approval, and if approved, to apply subsequently to the State of New York for partial reimbursement of funds expended on said project, as provided by Chapter 556 of the Laws of 1945, as amended;

NOW, THEREFORE, BE IT RESOLVED that such application is in all respects approved, and Benedict T. Holtz, Supervisor, is hereby directed and authorized to duly execute and to present said application to the New York State Youth Commission for its approval.

This resolution shall take effect immediately.

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

Supervisor Holtz	Voting AYE
Councilman Fath	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Kornecki	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

16

Item No. 11 Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, many requests have been made by residents of the Town of Cheektowaga for bus transportation to cemeteries on Memorial Day, Friday, May 30, 1958.

BE IT RESOLVED, that the Town Board go on record and request the Niagara Frontier Transit Company to provide bus service easterly on Sugar Road, southerly on Pine Ridge Road, and westerly on Genesee Street to the N. F. T. loop and returning over the same route, and be it further

RESOLVED, that the Town Clerk be and he hereby is authorized and directed to submit a certified copy of this resolution to the Niagara Frontier Transit Company.

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

Supervisor Holtz	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

10

Item No. 12 Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the New York State Electric and Gas Corporation be authorized to remove from Pole No. 68 situate in Old Harlem Road a 2500 lumen light and to replace with a 6000 lumen globe type light, and be it further

RESOLVED, that the New York State Electric and Gas Corporation be authorized to make the following changes in lighting in Huth Road:

Install on Pole No. 1, one (1) 2500 lumen globe type light.

Remove from Pole No. 2 the present light and install on Pole No. 3.

Install 2500 lumen light on existing Pole No. 7.

ALL TO BE GLOBE TYPE LIGHTING

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

Supervisor Holtz	Voting AYE
Councilman Fath	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Kornecki	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

27

Item No. 13 Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, an ordinance was adopted on the 15th day of July, 1957 limiting parking on Walden Avenue, from the Buffalo City Line to Harlem Road, to a two (2) hour period between the hours of 9 A.M. and 9 P.M., and

WHEREAS, said ordinance had no number designating the same, and

WHEREAS, the Chief of Police has requested the Town Board to amend the ordinance by designating a number thereon to facilitate the issuance of illegal parking tags.

BE IT RESOLVED, that pursuant to the provisions of the Town Law of the State of New York, the Town Board of the Town of Cheektowaga, New York shall meet at the Town Hall, corner of Broadway and Union Road in the said Town on the 17th day of March, 1958, at 7:30 o'clock P.M., Eastern Standard Time, for the purpose of considering the advisability of adding Paragraph 3 to Section 23 of the General Ordinances of the Town of Cheektowaga, which is to provide as follows:

1. Two-hour parking limit to be adopted for both sides of Walden Avenue from Buffalo City Line to Harlem Road between the hours of 9:00 A.M. and 9:00 P.M.
2. That parking be prohibited on the east side of Alexander Avenue.
3. That parking be prohibited on the south side of Doat Street from Pine Ridge Road to Woodell Avenue.

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

Supervisor Holtz	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

46  
40

Item No. 13-Contd'.

( Walden Avenue )

Posted as follows on the 15th day of March, 1958:

- 1- Telephone Pole at the corner of Walden Avenue and Reo Street;
- 2- Telephone Pole at the corner of Walden Avenue and Pine Ridge Road;
- 3- Telephone Pole at the corner of Walden Avenue and Alexander Street;
- 4- Telephone Pole at the corner of Walden Avenue and Gualbert Street;
- 5- Telephone Pole in front of No. 1137 Walden Avenue;
- 6- Telephone Pole No. 1235 on Walden Avenue;
- 7- Bulletin Board-Rescue Fire Hall, Pine Ridge Road;

( Alexander Avenue )

- 1- Telephone Pole In Front of School No. 10-Alexander Avenue
- 2- Tree Across street from No. 144 Alexander Avenue;
- 3- Telephone Pole No. N M 130- Alexander Avenue;
- 4- Telephone Pole corner of Alexander Ave. and Doat St.;
- 5- Telephone Pole No. 20-Alexander Avenue.

(Doat Street)

- 1- Telephone Pole No. 741-Doat Street;
- 2- Telephone Pole No. 709- Doat Street;
- 3- Telephone Pole No. 681-Doat Street;
- 4- Telephone Pole No. 643-Doat Street;
- 5- Telephone Pole No. 623-Doat Street.

Hereto attached is a affidavit of publication:

STATE OF NEW YORK  
COUNTY OF ERIE

ss:

**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 15th day of March, 1958 at 8:00 P.M. Eastern Standard Time, the following were present:

James T. Hanley, Supervisor  
Joseph A. Holbert, Councilman  
John T. Wankowski, Councilman  
Robert E. Bryant, Councilman  
Joseph Karsch, Councilman  
Alvin F. K. Councilman

James T. Hanley, Supervisor

Joseph A. Holbert, Councilman

It is to certify that I, Kenneth T. Hanley, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the annexed copy of resolution with the original resolution now on file in my office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 3rd day of March, 1958, 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 3rd day of March 1958.

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

**RICHARD G. BENNETT**

being duly sworn, deposes and says that he is the

**PUBLISHER**

of the

Depew

Cheektowaga

**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for One week, the first insertion being on the 6th day of March, 1958, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

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

**MAR 13 1958**

19\_\_\_\_

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

(Walden Avenue)

- 1- Telephone Pole at the corner of Walden Avenue and Reo Street;
- 2- Telephone Pole at the corner of Walden Avenue and Pine Ridge Road;
- 3- Telephone Pole at the corner of Walden Avenue and Alexander Street;
- 4- Telephone Pole at the corner of Walden Avenue and Gualbert Street;
- 5- Telephone Pole in front of No. 1137 Walden Avenue;
- 6- Telephone Pole No. 1235 on Walden Avenue;
- 7- Bulletin Board-Rescue Fire Hall, Pine Ridge Road;

(Alexander Avenue)

- 1- Telephone Pole In Front of School No. 10-Alexander Avenue
- 2- Tree Across street from No. 144 Alexander Avenue;
- 3- Telephone Pole No. N M 130- Alexander Avenue;
- 4- Telephone Pole corner of Alexander Ave. and Doat St.;
- 5- Telephone Pole No. 20-Alexander Avenue.

(Doat Street)

- 1- Telephone Pole No. 741-Doat Street;
- 2- Telephone Pole No. 709- Doat Street;
- 3- Telephone Pole No. 681-Doat Street;
- 4- Telephone Pole No. 643-Doat Street;
- 5- Telephone Pole No. 623-Doat Street.

Hereto attached is a affidavit of publication:

STATE OF NEW YORK  
COUNTY OF ERIE

ss:

RICHARD G. BENNETT

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 3rd day of March, 1966 at 7:30 P.M. Eastern Standard Time.

Present: T. Hanley, Supervisor  
A. Neibert, Councilman  
W. Wroblewski, Councilman  
E. Bystrak, Councilman  
K. Kornecki, Councilman  
J. Fath, Councilman

Trained Councilman  
The Board presented and adopted the following resolution and moved

That an ordinance was adopted on the 3rd day of July, 1965, providing for Walden Avenue from Buffalo City Line to Doat Street to have 24 hour parking from 6:00 A.M. to 6:00 P.M.

That said ordinance had been designated the same.

That the Chief of Police of the Town of Cheektowaga, New York, be and he is hereby authorized by designation of the Board to enforce the ordinance by designating the same to facilitate the enforcement of illegal parking laws. It is further ORDERED, that pursuant to the provisions of the Town Law of the State of New York, the Town of Cheektowaga, New York, shall meet at the Town Hall, corner of Broadway and Doat Street in the said Town on the 15th day of March, 1966 at 7:30 P.M. Eastern Standard Time for the purpose of considering the possibility of adding Paragraph 2 to Section 22 of the Code of the Town of Cheektowaga, which is to provide

Two-hour parking limit to be maintained for both sides of Walden Avenue from Buffalo City Line to Doat Street between the hours of 6:00 A.M. and 6:00 P.M.

That parking be prohibited on both sides of Alexander Avenue. That parking be prohibited on both sides of Doat Street from Doat Street to Woodell Ave.

That the same be and is hereby adopted by Councilman Wroblewski and duly put to a vote.

Resulted as follows:  
Supervisor Holtz voting aye  
Councilman Neibert voting aye  
Councilman Wroblewski voting aye  
Councilman Bystrak voting aye  
Councilman Kornecki voting aye  
Councilman Fath voting aye  
Ayes: 6; Noes: 0; Absent: 2.

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 3rd day of March, 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 3rd day of March 1966.

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

Item No. 14-Cont'd.

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, an ordinance was adopted by the Cheektowaga Town Board on September 4, 1956, known as the Parking Ordinance, Parking on Airports and Airfields, and

WHEREAS, said ordinance had no number designating the same, and

WHEREAS, the Chief of Police has requested the Town Board to amend the ordinance by designating a number thereon to facilitate the issuance of illegal parking tags.

BE IT RESOLVED, that pursuant to the provisions of the Town Law of the State of New York, the Town Board of the Town of Cheektowaga, New York, shall meet at the Town Hall, corner of Broadway and Union Road in the said Town on the 17th day of March, 1958, at 7:30 o'clock P.M., Eastern Standard Time, for the purpose of considering the advisability of adding Paragraph 1A to Section 23 of the General Ordinances of the Town of Cheektowaga, which is to provide as follows:

PARKING ORDINANCE  
PARKING ON AIRPORTS AND AIRFIELDS

Pursuant to the Authority of Section 130, Subdivision 22 of the Town Law of the State of New York (Laws of 1932, Chapter 634), parking, standing, storing or leaving a motor vehicle attended or unattended upon any publicly or privately owned airport, airport premises, or airfield, or the roads, driveways, traffic circles and pavements thereof, and in other than duly constituted and maintained commercial parking areas thereof without the consent and permission of the owner or lessee of said airport or airfield is hereby prohibited.

To effectuate the prohibition of such premises, as above described, a conspicuous sign or signs shall be posted at each entrance to the airport premises. A sign, as hereinafter described, shall be deemed substantial compliance with this section.

NO PARKING OR STANDING  
EXCEPT IN AUTHORIZED PARKING LOTS  
POLICE ENFORCEMENT  
UNDER PENALTY OF LAW

ORDINANCES OF TOWN OF CHEEKTOWAGA

but any other words or phraseology prohibiting the parking, standing storing or leaving of motor vehicles shall suffice.

The words "police enforcement" and "under penalty of law" on such signs shall be construed, among other things, to mean that the police, special patrolmen, or any law enforcement officers shall enforce the provisions of this section against persons parking, standing, storing or leaving vehicles on such premises without the consent of the owner or lessee, and that the police and other law enforcement officers are authorized to enter upon such premises to enforce the provisions of this ordinance.

This ordinance may be enforced by the police or by special patrolmen or other law enforcement officers and they may use such procedure as is authorized by law, including tags, summonses, and towing to effectuate the enforcement of this ordinance.

Proof of ownership of a vehicle shall be presumptive evidence in an action for enforcement of this section that the owner parked or caused his vehicle to be parked on such premises.

This ordinance shall not prevent the establishment or continuance of commercial parking areas or employees parking areas provided said areas are plainly marked and designated and shall not limit or prevent the designation of an area for the standing or parking of taxicabs provided said areas shall be plainly marked "Taxis only may stand or park in this area."

## Item No. 14-Cont'd.

No person shall park, stand, store or leave a motor vehicle in any employees parking area without the consent and permission of the owner or lessee of said airport or airfield.

The standing, parking, storing or leaving of a motor vehicle other than a taxicab, in any area designated for the parking of taxicabs shall constitute a violation of this ordinance.

Any person who shall violate any provision of this ordinance shall, upon conviction, be subject to a fine or penalty of not more than Twenty-Five Dollars (\$25.00).

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

Supervisor Holtz	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

Posted on the Town Hall Bulletin Board on March 20, 1958,  
Hereto attached is an affidavit of publication.

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

RICHARD G. BURNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 6th day of March, 1958, and the last insertion being on the ..... day of ....., 19....., and that not more than six days intervened between any two publications thereof

*Richard G. Burnett*

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

MAR 13 1958

*Kurt J. Hanley*  
Notary Public in and for Erie County

## 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 March, 1958 at 7:30 P.M., Eastern Standard Time, there were

PRESENT:

Met T. Holtz, Supervisor  
A. Neibert, Councilman  
T. Wroblewski, Councilman  
R. Bystrak, Councilman  
Kornecki, Councilman  
Fath, Councilman

Trojanoski, Councilman  
Councilman Wroblewski, present.  
The following resolution and its adoption:

WHEREAS, an ordinance was passed by the Cheektowaga Town Board on September 4, 1956, known as the Parking Ordinance, Parking on Airports and Airfields, and

WHEREAS, said ordinance had a number designating the same,

WHEREAS, the Chief of Police requested the Town Board to amend the ordinance by designating a number thereon to facilitate enforcement of illegal parking tags.

IT RESOLVED, that pursuant to the provisions of the Town Law of the State of New York, the Town of Cheektowaga, New York shall meet at the Town Hall, corner of Broadway and Green Road in the said Town on the 17th day of March, 1958 at 7:30 P.M., Eastern Standard Time, for the purpose of considering the advisability of adding Paragraph 1A to Section 23 of the General Ordinances of the Town of Cheektowaga, which is to provide as follows:

## PARKING ORDINANCE

## Parking On Airports and Airfields

Pursuant to the authority of Section 130, Subdivision 22 of the Town Law of the State of New York (Laws of 1952, Chapter 634), no person shall park, stand, store or leave a motor vehicle attended or unattended upon any publicly or privately owned airport, airport premises, or airfield, or the roads, drive-ways, traffic circles and pavements thereof, and in other than duly constituted and maintained commercial parking areas thereof without the consent and permission of the owner or lessee of said airport or airfield is hereby prohibited.

To enforce the prohibition of parking on airports and airfields, the Town Board of Cheektowaga shall have the authority to cause to be posted on any premises subject to the provisions of this ordinance, signs, notices or other devices, which shall be subject to the provisions of the Town Law of the State of New York.

## PARKING ON AIRPORTS

Section 23 of the General Ordinances of the Town of Cheektowaga

Section 23 of the General Ordinances of the Town of Cheektowaga

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Section 23 of the General Ordinances of the Town of Cheektowaga

RICHARD G. BENNETT

being duly sworn, deposed and

Item No. 1h-Cont'd.

No person shall park, stand, store or leave a motor vehicle in any employees parking area without the consent and permission of the owner or lessee of said airport or airfield.

The standing, parking, storing or leaving of a motor vehicle other than a taxicab, in any area designated for the parking of taxicabs shall constitute a violation of this ordinance.

Any person who shall violate any provision of this ordinance shall, upon conviction, be subject to a fine or penalty of not more than Twenty-Five Dollars (\$25.00).

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

Supervisor Holts	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

Posted on the Town Hall Bulletin Board on March 20, 1958,  
Hereto attached is an affidavit of publication.

REICHARD G. HENNETT

being duly sworn, deposes and says that he is the

Supervisor Holts shall not prevent or obstruct or contingence of any person parking areas or any other parking areas provided and designated for the use of taxicabs or other vehicles in an area designated for the parking of taxicabs. Any person who shall violate any provision of this ordinance shall, upon conviction, be subject to a fine or penalty of not more than Twenty-Five Dollars (\$25.00).

The standing, parking, storing or leaving of a motor vehicle, other than a taxicab, in any area designated for the parking of taxicabs shall constitute a violation of this ordinance.

Any person who shall violate any provision of this ordinance shall, upon conviction, be subject to a fine or penalty of not more than Twenty-Five Dollars (\$25.00).

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

Supervisor Holts, voting Aye  
Councilman Neibert, voting Aye  
Councilman Wroblewski, voting aye  
Councilman Bystrak, voting Aye  
Councilman Kornecki, voting Aye  
Councilman Fath, 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 3rd day of March, 1958, 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 3rd day of March 1958.

KENNETH T. HANLEY  
Clerk of the Town Board, Town of  
m6 Cheektowaga, N. Y.



Item No. 15 Councilman Fath presented the following resolution and moved its adoption:

WHEREAS, a written petition was duly filed with this Town Board for the improvement of that portion of Goering Avenue extending from Union Road east approximately nine hundred forty-one (941) feet, and that portion of Union Road extending from Goering Avenue north approximately two hundred ninety-four (294) feet to Zoerb Avenue, by the construction of a lateral sewer in said portions of said highways to serve properties on both sides of said portion of Goering Avenue to be so improved and to serve properties on the east side of that portion of Union Road to be so improved, and

WHEREAS, said petition was duly signed by owners of real estate constituting the owners of at least one-half of the entire frontage or bounds on both sides of said portion of Goering Avenue to be improved as aforesaid, and on the east side of said portion of Union Road to be improved as aforesaid and also constituting resident owners owning not less than one-half of the frontage owned by resident owners along said portion of both sides of Goering Avenue to be so improved and by resident owners residing along the east side of said portion of Union Road to be so improved, and

WHEREAS, said petition was duly acknowledged or proved as to each signer in the same manner as is required of a deed to be recorded and is otherwise sufficient, and

WHEREAS, at a meeting of the Town Board duly held on the 17th day of February, 1958, an order was duly adopted by it and entered in its minutes, reciting the filing of such petition, the improvement proposed and the maximum amount proposed to be expended for the improvement as stated in the petition, to wit: The sum of Ten Thousand Three Hundred (\$10,300.00) Dollars, and specifying that the said Town Board would meet to consider the petition and to hear all persons interested in the subject thereof concerning the same, at the Town Hall in the Town of Cheektowaga, New York, on the 3rd day of March, 1958 at 2:30 o'clock P.M., Eastern Standard Time, and

WHEREAS, the said order, duly certified by the Town Clerk, was duly published and posted as required by law, and

WHEREAS, a hearing was held by this Board at the place and on the date and time hereinbefore mentioned, and at such place and time the said Town Board did duly consider the said petition and hear all persons interested,

NOW, THEREFORE, after such hearing and upon the evidence given thereat and pursuant to the provisions of Section 199 of the Town Law of the State of New York, it is hereby

RESOLVED, that this Town Board determine that it is in the public interest to make the improvement petitioned for, to wit: The construction of a lateral sewer in that portion of Goering Avenue extending from Union Road east approximately nine hundred forty-one (941) feet, and that portion of Union Road extending from Goering Avenue north approximately two hundred ninety-four (294) feet to Zoerb Avenue to be so improved, and to serve properties on the east side of that portion of Union Road to be so improved, and be it further

RESOLVED, that Nussbaumer, Clarke and Velzy, Consulting Engineers for the Town of Cheektowaga, shall survey said highways proposed to be improved and establish the lines and grades thereof and file in the Town Clerk's Office a survey and profile of said highways, and be it further

RESOLVED, that said Nussbaumer, Clarke and Velzy, Consulting Engineers, shall prepare definite plans and specifications and make a careful estimate of the expense, and with the assistance of the Town Attorney, shall prepare a proposed contract for the execution of the work, and that such plans and specifications, estimate and proposed contract shall be presented to this Board as soon as reasonably possible.

Item No. 15-Cont'd Seconded by Councilman Neibert and duly put to a vote, which resulted as follows:

Supervisor Holtz	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

17  
24

Item No. 16 Moved by Councilman Bystrak, seconded by Councilman Neibert, that the Town Clerk be authorized and directed to issue all building permit applications processed by the Petitions Committee on February 26, 1958, and March 1, 1958, after same have been approved by the Building Inspector.

AYES: -6-

NOES: -0-

ABSENT: -1-

15  
35

Item No. 17 Councilman Kornecki 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. 528 to 597, inclusive, drawn on the Supervisor.

Item No. 18 The request of Councilman Bystrak for a caucus to discuss newly proposed Zoning Ordinance and Pollution Ordinance was referred to the Supervisor to set a date for said caucus.

Item No. 19 Moved by Councilman Fath, seconded by Councilman Neibert, to adjourn to March 7, 1958, at 7:30 o'clock P.M.

AYES: -6-

NOES: -0-

ABSENT: -1-

47

SEAL

KENNETH T. HANLEY  
Town Clerk

*Kenneth T. Hanley.*

Item No. 1 At a regular adjourned 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 March, 1958, at 7:30 o'clock p.m., E.S.T., there were:

PRESENT: Benedict T. Holtz	Supervisor
Alancin M. Fath	Councilman
Felix T. Wroblewski	"
Joseph Kornecki	"
Joseph A. Neibert	"
Stanley R. Bystrak	"

ABSENT: Joseph M. Trojanowski "

Also present were; Town Clerk Hanley and Town Attorney Delahunt.

Item No. 2 The Supervisor announced that this is the time and the place for the discussion of the proposed formula for Sewer District No. 7.

The following named persons spoke in relation to said proposed formula: Mr. Lindsay of the Cornell Aeronautical Laboratory; Councilman Fath and Supervisor Holtz..

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the proposed formula for Sewer District No. 7 be as follows: Rent and Maintenance, 80 percent assessed valuation, 20 percent area; Debt Service, 50 percent area and 50 percent valuation.

Seconded by Councilman Kornecki.

Supervisor Holtz offered the following amendment to the above resolution;

RESOLVED, that the proposed formula be as follows: Rent and Maintenance 20 percent area, 80 percent valuation; Debt Service, 70 percent area, 30 percent valuation.

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

Councilman Fath	Voting NAYE
Councilman Wroblewski	Voting NAYE
Councilman Kornecki	Voting NAYE
Councilman Neibert	Voting NAYE
Councilman Bystrak	Voting AYE
Councilman Trojanowski	( Absent )
Supervisor Holtz	Voting AYE

MOTION LOST: AYES: -2- NAYES: -4- ABSENT: -1-

The vote on the original resolution for Rent and Maintenance, 80 percent assessed valuation, 20 percent area, and Debt Service, 50 percent area and 50 percent valuation.

Councilman Trojanowski	( Absent )
Councilman Fath	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting NAYE
Supervisor Holtz	Voting NAYE

CARRIED: AYES: -4- NAYES: -2- ABSENT: -1- 26

At the request of the Town Clerk the Town Attorney was authorized and directed to draw up a legal resolution on this matter.

Item No. 3 Councilman Wroblewski moved, seconded by Councilman Kornecki, that Benj. Czechowak, Incinerator Plant employee, be granted a sick leave absence in the amount of six weeks.

AYES: -6-

NOES: -0-

ABSENT: -1- 31

Item No. 4 At the request of Councilman Bystrak, the Air Pollution Committee and the Zoning Ordinance Committee went on record to meet on March 8, 1959, at 1:00 P.M., in executive session. 42

Item No. 5 Moved by Councilman Weibert, seconded by Councilman Fath, to adjourn.

KENNETH T. HANLEY, Town Clerk

*Kenneth T. Hanley*

MEETING NO. 9Cheektowaga, New York  
March 17, 1958

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 17th day of March, 1958, at 7:30 o'clock P.M., Eastern Standard Time, there were

PRESENT: Benedict T. Holts	Supervisor
Alancin M. Fath	Councilman
Felix T. Wroblewski	Councilman
Joseph Kornecki	Councilman
Joseph M. Trojanoski	Councilman
Joseph A. Neibert	Councilman
Stanley R. Bystrak	Councilman

ABSENT: -0-

Also present were: Town Clerk Hanley; Town Attorney Delahunt; Chief of Police Mersmann; Highway Superintendent Zablotny; Town Engineer Kamm, and Recreational Director Janiak.

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 Communication read from Forks Fire District No. 3 relating to the installation of fire hydrants on Union Road in the vicinity of Goering Avenue and on the east end of the District. Ordered referred to the Erie County Water Authority. 22

Item No. 4 Communication read from Mr. and Mrs. R.H. Wetsel expressing appreciation for prompt service rendered by Councilman Bystrak for the plowing of their street during the recent snowstorm. Ordered received and filed. 10

Item No. 5 Communication read from the Central Council of Volunteer Firemen expressing their views that they are in favor of the Bingo Law being put up to the people of the Town at a special referendum. Ordered received and filed. 10

Item No. 6 Communication read from the Town Clerk advising the Board that three election booth doors have been broken into at the booth yard and that one of the tires on the booth moving wagon has been badly slashed. Ordered referred to the Chief of Police. 10 18

Item No. 7 Communication read from the Board of Fire Commissioners of the Cleveland Hill Fire District No. 6 requesting that the Town replace mutilated and obliterated NO PARKING signs on Cleveland Drive. Ordered referred to Councilman Wroblewski. 10

Item No. 8 Communication read from the Board of Fire Commissioners of the Cleveland Hill Fire District No. 6, requesting the Town Board to restrict parking in the following areas:  
Oehman Boulevard, west side, south from Cleveland Drive to Mapleview Drive.  
Concord Drive, east side, 300 feet north of Cleveland Drive.  
Birkdale Drive, west side, south from Cleveland Drive, one block.  
Ordered referred to the Chief of Police. 11 41

Item No. 9 Communication read from Mrs. Regina Piechowicz thanking the Town Board for the official action taken because of her Brotherhood Award. Ordered received and filed.

16

Item No. 10 Supervisor Holtz appointed Councilman Wroblewski, Trojanoski and Bystrak as a committee to study the report of A. Russell Tryon, Town Planning Consultant, on proposed revisions in the Zoning and Building Code Ordinance.

12

Item No. 11 Referred to the Assessors for a property check the petition for street lighting equipment in Delmar Avenue.

17  
27

Item No. 12 Referred to the Town Engineer the complaint of flooding conditions on Dingen Street.

36

Item No. 13 Referred to the Assessors the petition to change Ursa Place back to the former name of Park Street.

17  
13

Item No. 14 Moved by Councilman Kornecki, seconded by Councilman Wroblewski, that the request of W. Polick for sick leave salary, be granted.

AYES: -7-

NOES: -0-

ABSENT: -0-

31  
20

Item No. 15 Moved by Councilman Wroblewski, seconded by Councilman Neibert, that the request of the Chairman of the Board of Assessors to attend the State Conference on Assessment Administration in Albany, N. Y., on April 13, 1958 to April 16, 1958, be granted.

AYES: -7-

NOES: -0-

ABSENT: -0-

32

Item No. 16 At a Town Board meeting held on March 17, 1958, the following rezoning applications were presented for processing, and at the request of the Town Board, they were ordered tabled until further notice:

Application of Lesting Building Corporation for a gasoline service station at the corner of Cayuga Road and Applewood Drive, northwest corner.

Application of Pelvion Land Company for a gasoline service station at the southwest corner of Cayuga Road and Applewood Drive.

Application of Joseph Shaw for a gasoline service station at the corner of Harlem Road and Dingens Street.

AYES: -7-

NOES: -0-

ABSENT: -0-

19

Item No. 17 Moved by Councilman Wroblewski, seconded by Councilman Kornecki, that the Chief of Police be authorized and directed to cooperate with the Sheriff, Robert A. Glasser, Chairman Erie County Law Enforcement Co-ordinating Committee, for the installation of a County-wide co-ordinated teletype system in the Town of Cheektowaga, and that the stationery supplies be furnished by the Police Department of the Town of Cheektowaga.

AYES: -7-

NOES: -0-

ABSENT: -0-

18

Item No. 18 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 March 17, 1958.

Councilman Fath presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a meeting held March 3, 1958, adopted a resolution that the Town Board meet at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, on the 17th day of March, 1958, Eastern Standard Time, for the purpose of considering the advisability of adding Paragraph 3 to Section 23 of the General Ordinances of the Town of Cheektowaga, and

WHEREAS, notice of said public hearing was duly published and posted as required by law, not less than ten nor more than twenty 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 17th day of March, 1958, at the Town Hall in the Town of Cheektowaga, New York, for the purpose of considering the advisability of adding Paragraph 3 to Section 23 of the General Ordinances of the Town of Cheektowaga, 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 3 to Section 23 of the General Ordinances of the Town of Cheektowaga, to provide as follows:

1. Two-hour parking limit to be adopted for both sides of Walden Avenue from Buffalo City Line to Harlem Road between the hours of 9:00 A.M. and 9:00 P.M.
2. That parking be prohibited on the east side of Alexander Avenue.
3. That parking be prohibited on the south side of Doat Street from Pine Ridge Road to Woodell Avenue.

BE IT 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, a newspaper having a 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 Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

4/1

Posted on the Town Hall Bulletin Board on the 3rd day of April, 1958.

Hereto attached is an affidavit of publication.

(Affidavit)

STATE OF NEW YORK  
COUNTY OF ERIE

## LEGAL NOTICE

At a regular meeting of the

Supervisor Holtz, voting Aye.  
Councilman Nelbert, voting Aye  
Councilman Wroblewski, voting Aye  
Councilman Bystrak, voting Aye  
Councilman Trojanoski, voting Aye  
Councilman Kornecki, voting Aye  
Councilman Faith, voting Aye  
AYES: 7; NOES: 0; ABSENT: 0.

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

This is to certify that I, Kenneth T. Bentley, 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 the office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 11th day of March, 1958, 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 official seal of said Town this 11th day of April, 1958.

Kenneth T. Bentley,  
Clerk of the 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

..... *3rd* day of *April*, 19*58*, and

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

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

more than six days intervened between any two publi

cations thereof.

*Richard G. Bennett*

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

1958

19

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



(Affidavit)

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 17th day of March, 1958 at 7:30 o'clock P.M., Eastern Standard Time, there were

## PRESENT:

Benedict T. Holtz, Supervisor  
Joseph A. Nebert, Councilman  
Julius T. Wroblewski, Councilman  
Stanley R. Bystrak, Councilman  
Joseph Trojanski, Councilman  
Joseph Kornecki, Councilman  
Joseph Fath, Councilman

## ABSENT: —0—

Councilman Fath presented the following resolution and moved its adoption:

RESOLVED, this Town Board, at a meeting held March 3, 1958 adopted a resolution that the Town Board meet at the Town Hall, corner Broadway and Union Road, Cheektowaga, New York, on the 17th day of March, 1958, Eastern Standard Time, for the purpose of considering the advisability of adding Paragraph 3 to Section 23 of the General Ordinances of the Town of Cheektowaga, and

RESOLVED, notice of said public hearing was duly published and posted as required by law, not less than nor more than twenty days prior to the date of the hearing, as shown by the duly verified minutes of publication and now on file in the Town Office, and

RESOLVED, pursuant to said resolution the Town Board of the Town of Cheektowaga, New York, on the 17th day of March, 1958, met at the Town Hall in the Town of Cheektowaga, New York, for the purpose of considering the advisability of adding Paragraph 3 to Section 23 of the General Ordinances of the Town of Cheektowaga.

RESOLVED, an opportunity was given all persons interested in the subject matter to be heard and the members of said public hearing. The Town Board decided that in the public interest to provide for the convenience of the Town of Cheektowaga, to provide

for parking facilities to be located at the both sides of Washington Road between Buffalo City and Highway Road between the hours of 9:00 A.M. and 5:00 P.M.

RESOLVED, that a copy of this resolution, certified by the Town Clerk, which be entered in the minutes and published at least once in the New Herald and Cheektowaga, a newspaper having a circulation in said Town.

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RESOLVED, that a copy of this resolution, certified by the Town Clerk, which be entered in the minutes and published at least once in the New Herald and Cheektowaga, a newspaper having a circulation in said Town.

RESOLVED, that a copy of this resolution, certified by the Town Clerk, which be entered in the minutes and published at least once in the New Herald and Cheektowaga, a newspaper having a circulation in said Town.

RESOLVED, that a copy of this resolution, certified by the Town Clerk, which be entered in the minutes and published at least once in the New Herald and Cheektowaga, a newspaper having a circulation in said Town.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

In Witness Whereof, I have hereunto set by hand (seal) and affixed the seal of said Town this 3rd day of April, 1958.

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

Item No. 19 Moved by Councilman Kornecki, seconded by Councilman Wroblewski,

WHEREAS, the Town recently purchased a machine from the Burroughs Company to be used in the preparation of the Town Pay Roll.

WHEREAS, it has been recommended to the Board that Burroughs Company can furnish for the amount of \$980.00 a new machine which will prevent the various discrepancies in the paying of Town Vouchers and still can be used for the Town Pay Roll,

RESOLVED, that the present machine be traded in for the new type machine at an additional cost of \$980.00.

AYES: -7-

NOES: -0-

ABSENT: -0-

42

Item No. 20 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
Lynncrest Terrace	Manlon Terrace	Amherst Town Line

#### TYPE OF STREET LIGHTING INSTALLATION

Six Y 19 Standards-under ground conduit-4000 lumen

(Niagara Mohawk Power Corp.)

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
LYNNCREST TERRACE	MANLON TERRACE	AMHERST TOWN LINE

#### TYPE OF STREET LIGHTING INSTALLATION

SIX Y 19 STANDARDS - UNDER GROUND CONDUIT - 4000 LUMEN

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

Item No. 20-Cont'd.

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

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

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

Supervisor Holts	Voting AYE
Councilman Fath	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

27

Item No. 21 Moved by Councilman Bystrak, seconded by Councilman Neibert, that the Supervisor be authorized and directed to purchase from the Westinghouse Manufacturing Corporation six (6) Y 19 Ornamental Street Lighting Standards to be used in Lyncrest Terrace Special Street Lighting District.

AYES: -7-

NOES: -0-

ABSENT: -0-

27

Item No. 22 Moved by Councilman Wroblewski, seconded by Councilman Kornecki, that the Sub Division Map known as Aurora Court being a Resubdivision of sub lots 56 through 64, inclusive, sub lots 71 through 82, inclusive, Map Cover No. 1404, Part of Lot 36, Township 11, Range 7, be approved and ordered filed in the Assessors Office.

AYES: -7-

NOES: -0-

ABSENT: -0-

36

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

WHEREAS, Change Order No. 4 has been submitted pursuant to the contract for the construction of Sanitary Sewer District No. 7 as follows:

Change Order No. 4.

In the amount of \$3,780.00 for tunneling under 20 feet concrete driveway at Cornell Aeronautical Laboratory property.

and

WHEREAS, the same has been approved by Nussbaumer, Clarke & Velzy, Consulting Engineers of the Town of Cheektowaga, the Town Engineer and the Town Attorney.

BE IT RESOLVED, that the Supervisor be and he hereby is authorized to approve the Change Order as submitted.

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

Supervisor Holts	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

24

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

WHEREAS, the Town Engineer has requested the purchase of sewer rods to facilitate the work of the Sewer Department, and

WHEREAS, the above mentioned sewer rods will cost six hundred fifty-one dollars and fifty cents (\$651.50) and are described as follows:

100 - 36" Flexichrome rods with couplings  
50 - 39" Flexichrome rods with couplings  
50 - 39" Flexichrome rods, less couplings

BE IT RESOLVED, that the Supervisor be and he hereby is authorized to purchase the above described sewer rods from the Frank Donovan Company of 66 Kiniry Drive, Rochester 9, New York, at a cost not to exceed the sum of six hundred fifty-one dollars and fifty cents (\$651.50) and to make payment accordingly.

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

Supervisor Holtz	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

24

Item No. 25 This being the time and the place advertised for the receiving of sealed proposals for the purchase of one (1) 1958 3/4 ton pick up truck for use by the Highway Department.

The Town Clerk presented proof that the Notice to Bidders has been duly published as required by law.

Moved by Councilman Neibert, seconded by Councilman Kornecki, that the Town Clerk proceed to open and read the sealed proposals on hand.

Hereto is a summary of the bids received:

Clements Chevrolet, Inc.....	\$1734.00
Zynda Pontiac, Inc.....	1835.00
Suor-Keller Chevrolet, Inc.....	1682.24
Mernan Chevrolet, Inc.....	1620.00
Maier Schule G.M.C., Inc.....	1700.00

Moved by Councilman Neibert, seconded by Councilman Kornecki, that the bids be referred to the Highway Superintendent for analysis and tabulation.

13

Item No. 26 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 5th day of February, 1958.

#### PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
YVONNE AVENUE	CLEVELAND DRIVE	AMHERST TOWN LINE

#### TYPE OF STREET LIGHTING INSTALLATION

EIGHT Y 19 STANDARDS-4000 LUMEN-UNDERGROUND CONDUIT

Item No. 26-Contd WHEREAS, Edward B. Jerzewski and Andrew H. Schwenk Assessors of said Town of Cheektowaga have certified in writing to this Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage or bounds on both sides of each of said highways to be improved, as aforesaid, and

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

NOW, THEREFORE, IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 7th day of April, 1958, at 2:30 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 Cheektowaga Times and the Depew Herald-Cheektowaga News, newspapers of the Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing aforesaid and that copies of this order be posted conspicuously in five public places on each of the said highways to be improved not less than ten (10) nor more than twenty (20) days before the day designated for the hearing as aforesaid.

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

Supervisor Holts	Voting AYE
Councilman Fath	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Trojanowski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

17  
27

Posted as follows on the 26th day of March, 1958:

- 1- Post in front of No. 29 Yvonne Avenue;
- 2- Post in front of No. 47 Yvonne Avenue;
- 3- Post in front of No. 91 Yvonne Avenue;
- 4- Post in front of No. 76 Yvonne Avenue;
- 5- Post in front of No. 28 Yvonne Avenue.

of posting:

Hereto attached are copies of the affidavit

Item No. 26-Contd

Affidavits

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks; first publication MAR 20 1958; last publication MAR 20 1958; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this MAR 24 1958 day of MAR 24 1958, 1958

Eve J. Allis

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

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1959  
Registered No. 5029

# PRESENT

Joseph Kordecki, Councilman  
Joseph M. Trojanoski, Council-

Joseph A. Neibert, Council.

Stanley R. Bystrak, Council-  
ABSENT: None (0)

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

# PUBLIC HIGHWAYS TO BE IMPROVED

NAME OF HIGHWAYS  
Yvonne Avenue

FROM  
Cleveland Drive

TO  
Amherst Town Line

**TYPE OF STREET LIGHTING  
INSTALLATION**

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

[illegible][illegible][illegible]

ATED: 1. NAME: 0. AGENT:

DEATH OF NEW YORK  
SARATOGA COUNTY  
OFFICE OF THE CLERK  
OF THE TOWN OF  
SARATOGA

This is to certify that I, HENRY T. HANLEY, Clerk of the Town of Cheektowick 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 Cheektowick in said County of Erie, on the 17th day of March 1893, and that the same is a correct and true transcript of such original resolution and the whole thereof.

(SEAL)

In Witness Whereof, I have  
hereunto set my hand and af-  
fixed the seal of said Town this  
17th day of March 1958.

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

(Publish: Mar. 20, 1968)

STATE OF NEW YORK  
COUNTY OF ERIE

ss:

Recorded by Councilman Korn  
and duly put to a vote which  
resulted as follows:  
Councilman Holtz voting Aye  
Councilman Fath voting Aye  
Councilman Wroblewski voting Aye  
Councilman Kornecki voting Aye  
Councilman Trojanowski voting Aye  
Councilman Halbert voting Aye  
Councilman Hystrak voting Aye  
NONE: 0; MORE: 0; ABSENT: 0.

New York )  
County ) ss:  
of the Clerk of the )  
of Cheektowaga )  
is to certify that I, KEN-  
NETH T. HANLEY, Clerk of the  
Town of Cheektowaga, in the said  
Town of Cheektowaga, have compared the  
said copy of resolution with  
the original resolution now on file  
in the Town of Cheektowaga and  
have found that the same is a cor-  
rect and true transcript of such  
resolution and the whole  
thereof.

In Witness Whereof, I  
have hereunto set my  
hand and affixed the seal  
of said Town this 17th  
day of March 1958.

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

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
..... One week, the first insertion being on the  
..... 20th day of ..... March ....., 1958, and  
the last insertion being on the ..... day of  
....., 19....., and that not  
more than six days intervened between any two publi-  
cations thereof.

*Richard G. Bennett*

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

MAR 25 1958

19.....

*Kenneth T. Hanley*

Notary Public in and for Erie County

bn 1085





Item No. 27

BINGO ORDINANCE

NOTICE OF PUBLIC HEARING

**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 17th day of March, 1958 at 7:30 o'clock P.M., Eastern Standard Time, there were

**PRESENT:**

Benedict T. Holtz, Supervisor  
Joseph A. Neibert, Councilman  
Felix T. Wroblewski, Councilman  
Stanley R. Bystrak, Councilman  
Joseph Trojanoski, Councilman  
Joseph Kornecki, Councilman  
Alancin Fath, Councilman

**ABSENT: —0—**

Councilman Kornecki presented the following resolution and moved its adoption:

**WHEREAS**, many requests have been received by the Town Board of the Town of Cheektowaga to adopt a Local Ordinance authorizing the conduct of Bingo Games, pursuant to the New York State Law.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that pursuant to the provisions of the Town Law of the State of New York and in accordance with the bingo licensing law as enacted and referred to as Article 14-G of the General Municipal Law of the State of New York, a public hearing, on a proposed Town Ordinance in relation to the conduct of bingo games, be held on the 7th day of April, 1958 at 2:30 o'clock P.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Road in the said Town of Cheektowaga, New York, for the purpose of considering the advisability of adopting said ordinance, which is to be known as Local Ordinance No. 25, to provide as follows:

**BINGO ORDINANCE****SECTION 1. Short Title—**

This ordinance shall be known and may be cited as the Cheektowaga Bingo Licensing Law.

**SECTION 2. Definitions—**

As used in this ordinance, unless the context requires otherwise, the following terms shall have the following meanings:

a. "Municipality" shall mean and include the Town of Cheektowaga, New York.

b. "Control commission" shall mean the state lottery control commission.

c. "Bingo" or "game" shall mean and include a specific game of chance, commonly known as bingo or lotto, in which prizes are awarded on the basis of designated numbers or symbols on a card conforming to numbers or symbols selected at random.

d. "Authorized organization" shall mean and include only bona fide religious, charitable or non-profit organizations of veterans, volunteer firemen and similar non-

profit organizations.

e. "License" shall mean a license issued pursuant to the provisions of this ordinance.

f. "Governing body" shall mean the Town Board of the Town of Cheektowaga, New York.

**SECTION 3. Local laws and ordinances—**

a. The Town Board of the Town of Cheektowaga, New York, hereby provides that it shall be lawful for any authorized organization, upon obtaining a license therefor as hereinafter provided, to conduct the game of bingo within the territorial limits of the Town of Cheektowaga, subject to the provisions of this ordinance, the provisions of article 14-G of the General Municipal Law and the provisions of the state lottery control.

b. This ordinance shall not become operative or effective unless and until it shall have been approved by a majority of the qualified electors of this municipality voting on a proposition therefor submitted at a general or special election held within the Town of Cheektowaga, New York.

**SECTION 4. Restrictions upon conduct of bingo games—**

a. No person, firm, association, corporation or organization, other than an authorized organization licensed under the provisions of this ordinance and the General Municipal Law, shall be permitted to conduct such games.

b. The entire net proceeds of any game shall be exclusively devoted to the lawful purposes of the organization permitted to conduct the same.

c. No single prize shall exceed the sum or value of two hundred fifty dollars.

d. No series of prizes on any one occasion shall aggregate more than one thousand dollars.

e. No person except a bona fide member of any such organization shall participate in the management or operation of such games.

f. No person shall receive any remuneration for participating in the management or operation of any such game.

g. The unauthorized conduct of a bingo game and any wilful violation of any provision of this ordinance shall constitute and be punishable as a misdemeanor.

**SECTION 5. Application for license—**

a. Each applicant for a license shall file with the Town Clerk of the municipality a written application therefor in the form prescribed in the rules and regulations of the control commission, duly executed and verified, in which shall be stated the name and address of the applicant together with sufficient facts relating to its incorporation and organization to enable the governing body of the municipi-

pality to determine whether or not it is a bona fide authorized organization; the names and addresses of its officers; the specific kinds of games of chance intended to be held, operated and conducted by the applicant, and the place or places where, the date or dates and the time or times when such games of chance are intended to be held, operated and conducted by the applicant under the license applied for; the items of expense intended to be incurred or paid in connection with the holding, operating and conducting of such games of chance and the names and addresses of the persons to whom, and the purposes for which, they are to be paid; the specific purposes to which the entire net proceeds of such games of chance are to be devoted and in what manner; that no commission, salary, compensation, reward or recompense will be paid to any person for holding, operating or conducting such game or games of chance or for assisting therein except as otherwise provided in this ordinance or in the General Municipal Law; and that no prize or aggregate of prizes will be offered or given under such license of a value in excess of the sum or value authorized to be offered or given by this ordinance or the General Municipal Law, and a description of all prizes to be offered and given in all such games of chance to be held, operated and conducted under such license and such other information as shall be prescribed by such rules and regulations.

b. In each application there shall be designated an active member or members of the applicant organization under whom the game or games of chance described in the application are to be held, operated and conducted and to the application shall be appended a statement executed by the applicant and by the member or members so designated, that he or they will be responsible for the holding, operating and conduct of such games of chance in accordance with the terms of the license and the provisions of the rules and regulations governing the holding, operation and conduct of such games of chance, the Town of Cheektowaga Ordinance and the General Municipal Law, if such license is granted.

c. In the event that any premises, upon which any such game of chance is to be held, operated or conducted or which is to be used for any other purpose in connection with the holding, operating or conducting thereof, is to be leased from any person, persons or corporation, a written statement shall accompany the application signed and verified under oath by such person or persons or executed and

verified under oath on behalf of such corporation, stating his or its address and the amount of rent which will be paid for such premises and that such lessor or lessors, or if a corporation all of its officers and each of its stockholders who hold ten per cent or more of its stock issued and outstanding, are of good moral character and have not been convicted of crime.

**SECTION 6. Investigation; matters to be determined; issuance of license; fees; duration of license—**

a. The Town Board of the Town of Cheektowaga, New York, shall make an investigation of the qualifications of each applicant and the merits of each application, with due expedition after the filing of the application, and if it shall determine that the applicant is duly qualified to be licensed under this ordinance and the General Municipal Law to hold, operate and conduct games of chance under the provisions of this ordinance and the General Municipal Law and the rules and regulations governing the holding, operation and conduct thereof in the municipality; that the member or members of the applicant designated in the application to hold, operate or conduct the games of chance, to hold, operate and conduct which the license was applied for, are bona fide active members of the applicant and are persons of good moral character and have never been convicted of a crime; that such games of chance are to be held, operated and conducted in accordance with the provisions of this ordinance, the General Municipal Law and in accordance with the rules and regulations governing the holding, operation and conduct thereof and that the proceeds thereof are to be disposed of as provided by this ordinance and the General Municipal Law, and if the governing body is satisfied that no commission, salary, compensation, reward or recompense whatever will be paid or given to any person holding, operating or conducting or assisting in the holding, operation and conduct of any such games of chance except as in this ordinance and the General Municipal Law otherwise provided; and that no prize will be offered and given in excess of the sum or value of two hundred fifty dollars in any single game of chance, and that the aggregate of all prizes offered and given in all of such games of chance, held, operated and conducted on a single occasion, under said license shall not exceed the sum or value of one thousand dollars, it shall issue a license to the applicant for the holding, operation and conduct of the specific kinds of games of chance applied for, accordingly, upon payment of a license fee or fees of ten dollars for each occasion

upon which any games of chance are to be conducted under such license.

b. On or before the thirtieth day of each month, the fiscal officer of this municipality, pursuant to the General Municipal Law, shall transmit to the state comptroller a sum equal to fifty per cent of all license fees collected by such municipality pursuant to this section during the preceding calendar month.

c. No license for the holding, operation or conduct of any game or games of chance shall be issued under this ordinance which shall be effective for a period of more than one year.

**SECTION 7. Hearing; amendment of license—**

a. No application for the issuance of a license shall be denied by the governing body until after a hearing, held on due notice to the applicant, at which the applicant shall be entitled to be heard upon the qualifications of the applicant and the merits of the application.

b. Any license issued under this ordinance and the General Municipal Law may be amended, upon application made to the governing body of the municipality which issued it, if the subject matter of the proposed amendment could lawfully and properly have been included in the original license and upon payment of such additional license fee, if any, as would have been payable if it had been so included.

**SECTION 8. Form and contents of license; display of license—**

Each license shall be in such form as shall be prescribed in the rules and regulations promulgated by the control commission and shall contain a description of the kind of games of chance authorized to be held, operated and conducted thereunder, a statement of the name and address of the licensee, of the names and addresses of the member or members of the licensee under whom such games of chance will be held, operated and conducted, of the number of times, or the hours during which, such games of chance are authorized to be conducted and the place or places where and the date or dates and time or times when, such games of chance are to be conducted and of the specific purposes to which the entire net proceeds of such games of chance are to be devoted; if any prize or prizes are to be offered and given in cash, a statement of the amounts of the prizes authorized so to be offered and given; and any other information which may be required by said rules and regulations to be contained therein, and each license issued for the conduct of any game or games of chance shall be conspicuously displayed at the place where same is to be conducted at

all times during the conduct thereof.

**SECTION 9. Control and supervision; suspension of license; inspection of premises—**

The governing body of this municipality issuing any license under this ordinance and the General Municipal Law shall have and exercise control and supervision over all games of chance held, operated or conducted under such license, to the end that the same are fairly held, operated and conducted in accordance with the provisions of such license, the rules and regulations promulgated by the control commission, the provisions of this ordinance and the General Municipal Law governing the holding, operation and conduct of the same and such governing body and the control commission shall have the power and authority to suspend any license issued by such governing body and to revoke the same, after notice and hearing, for violation of any such provision, and shall have the right of entry, by their respective officers and agents, at all times into any premises where any such game of chance is being held, operated and conducted or where it is intended that any such game of chance shall be held, operated and conducted, or where any equipment being used or intended to be used in the conduct thereof is found, for the purpose of inspecting the same.

**SECTION 10. Sunday; conduct of games on—**

Games of chance licensed under this ordinance may be conducted on the first day of the week, commonly known and designated as Sunday.

**SECTION 11. Participation by persons under eighteen—**

No person under the age of eighteen years shall be permitted to participate in any game or games of chance held, operated or conducted pursuant to any license issued under this ordinance and the General Municipal Law unless accompanied by an adult.

**SECTION 12. Frequency of game; sale of alcoholic beverages—**

No game or games of chance shall be held, operated or conducted under any license issued under this ordinance and the General Municipal Law oftener than on six days in any one calendar month, or in any room or outdoor area where alcoholic beverages are sold or served during the progress of the game or games.

**SECTION 13. Persons operating and conducting games; equipment; expenses; compensation—**

No person shall hold, operate or conduct any game or games of chance under any license issued under this ordinance and the General Municipal Law except an active member of the authorized or-

ganization to which the license is issued, and no person shall assist in the holding, operating or conducting of any game or games of chance under such license except an active member or a member of an organization or association which is an auxiliary to the licensee or a member of an organization or association of which such licensee is an auxiliary or a member of an organization or association which is affiliated with the licensee by being, with it, auxiliary to another organization or association and except bookkeepers or accountants as hereinafter provided and no such game of chance shall be conducted with any equipment except such as shall be owned absolutely or used without payment of any compensation therefor by the licensee, and no item of expense shall be incurred or paid in connection with the holding, operating or conducting of any game of chance held, operated or conducted pursuant to any license issued under this ordinance and the General Municipal Law, except such as are bona fide items of reasonable amount for goods, wares and merchandise furnished or services rendered which are reasonably necessary to be purchased or furnished for the holding, operating or conducting thereof under any circumstances whatever; no rental shall be paid for the use of any premises for holding, operating or conducting any such game of chance thereon or for any other purpose in connection with the holding, operating or conducting thereof unless the amount of such rental is stated in a statement annexed to the application for the license as provided in section five of this ordinance or which is in excess of the sum stated as the rental to be charged therefor in such statement; and no commission, salary, compensation, reward or recompense whatever shall be paid or given, directly or indirectly, to any person holding, operating or conducting or assisting in the holding, operation or conduct of any game of chance so held, operated or conducted, except that reasonable compensation may be paid to bookkeepers or accountants for bookkeeping or accounting services rendered according to a schedule of compensation prescribed by the rules of the control commission.

**SECTION 14. Charge of admission and participation; amount of prizes; award of prizes—**

Not more than one dollar shall be charged by any licensee for admission to any room or place in which any game or games of chance are to be held, operated and conducted under any license issued under this ordinance and the General Municipal Law, which admission fee, upon payment thereof,

shall entitle the person paying the same to a card entitling him to participate without additional charge in all regular games of chance to be played under such license on such occasion, and no charge in excess of one dollar shall be made for a single opportunity to participate in all special games to be played under such license on such occasion. No prizes greater in amount or value than two hundred fifty dollars shall be offered or given in any single game conducted under any such license and the aggregate amount of value of all prizes offered or given in all games played on a single occasion shall not exceed one thousand dollars, and all winners shall be determined and all prizes shall be awarded in any game played on any occasion within the same calendar day as that upon which the game was played. No alcoholic beverages shall be offered or given as a prize in any such game.

**SECTION 15. Advertising games**

No games of chance to be conducted under any license issued under this ordinance and the General Municipal Law shall be advertised as to its location, the time when it is to be or has been played, or the prizes awarded or to be awarded, by means of newspapers, radio, television or sound trucks or by means of billboards, posters or handbills or any other means addressed to the general public, except that one sign not exceeding sixty square feet in area may be displayed on or adjacent to the premises where the game will be played and an additional sign may be displayed on or adjacent to the premises where the prize or prizes are displayed and additional signs may be displayed upon any fire fighting equipment belonging to any licensee, which is a volunteer fire company, or upon any first-aid or rescue squad equipment belonging to any licensee, which is a first-aid or rescue squad, in an thorough-out the community or communities served by such volunteer fire company or such first-aid or rescue squad, as the case may be.

**SECTION 16. Statement of receipts, expenses, etc.—**

Within fifteen days after the conclusion of the holding, operating and conducting of any such game of chance, the authorized organization which held, operated or conducted the same, and its members who were in charge thereof, shall furnish to the town clerk of the municipality a duly verified statement showing the amount of the gross receipts derived from each game of chance, which shall include receipts from the sale of shares, tickets or rights in any manner connected with participation in said game or the right to participate therein, each item of

expense incurred, or paid, and each item of expenditure made or to be made, the name and address of each person to whom each such item has been paid, or is to be paid, with a detailed description of the merchandise purchased or the services rendered therefor, the net profit derived from each such game of chance, and the use to which such net profit has been or is to be applied and a list of prizes offered and given, with the respective values thereof, and it shall be the duty of each licensee to maintain and keep such books and records as may be necessary to substantiate the particulars of each such report.

**SECTION 17. Examination of books and records; examination of managers, etc.; disclosure of information—**

The governing body of the municipality and the control commission shall have power to examine or cause to be examined the books and records of any authorized organization to which any such license is issued so far as they may relate to any transactions connected with the holding, operating and conducting of any game of chance thereunder and to examine any manager, officer, director, agent, member or employee thereof under oath in relation to the conduct of any such game of chance under any such license but any information so received shall not be disclosed except so far as may be necessary for the purpose of carrying out the provisions of this ordinance and the General Municipal Law.

**SECTION 18. Appeals from governing body to control commission**

Any applicant for, or holder of, any license issued or to be issued under this ordinance and the General Municipal Law aggrieved by any action of the municipal governing body of the municipality to which such application has been made or by which such license has been issued, may appeal to the control commission from the determination of said governing body by filing with the governing body a written notice of appeal within thirty days after the determination or action appealed from, and upon the hearing of such appeal, the evidence, if any, taken before the governing body and any additional evidence may be produced and shall be considered in arriving at a determination of the matters in issue, and the action of the control commission upon said appeal shall be binding upon said governing body and all parties to said appeal.

**SECTION 19. Immunity from prosecution; exemption—**

No person or corporation a lawfully conducting, or participating in the conduct of,

b. possessing, selling or in any manner disposing of, any shares, tickets or rights to participate in, or

c. permitting the conduct upon any premises owned by him or it of any game of chance conducted or to be conducted under any license lawfully issued pursuant to this ordinance and the General Municipal Law, shall be liable to prosecution or conviction for violation of any provision of article one hundred thirty of the penal law or any other law or ordinance to the extent that such conduct is specifically authorized by this ordinance and the General Municipal Law, but this immunity shall not extend to any person or corporation knowingly conducting or participating in the conduct of any game of chance under any license obtained by any false pretense or statement made in any application for such license or otherwise, or possessing, selling or disposing of shares, tickets or rights to participate in, or permitting the conduct upon any premises owned by him or it of any game of chance conducted under any license known to him or it to have been obtained by any false pretense or statement.

**SECTION 20. Offenses; forfeiture of license; ineligibility to apply for license—**

Any person, association or corporation who or which shall make any false statement in any application for any such license or in any statement annexed thereto or shall pay any rental for the use of any premises for holding, operating or conducting any game of chance under this ordinance and the General Municipal Law or for any other purpose in connection with the holding, operating or conducting thereof, unless the amount of such rental is stated in a statement annexed to the application for the license as provided in section five of this ordinance, or shall pay or receive any sum for such rental in excess of the sum stated as the rental to be charged therefor in such statement executed by

him or on its behalf, or shall fail to keep such books and records as shall fully and truly record all transactions connected with the holding, operating and conducting of games of chance under any such license or shall falsify or make any false entry in any book or record so far as they relate to any transaction connected with the holding, operating or conducting of any game of chance under any such license or shall violate any of the provisions of this ordinance and the General Municipal Law or of any term of such license shall be guilty of a misdemeanor and shall forfeit any license issued to it under this ordinance and the General Municipal Law and be ineligible for a license under this ordinance and the General Municipal Law for one year thereafter.

**SECTION 21. Delegation of authority—**

The Town Board of the Town of Cheektowaga hereby delegates its authority under this ordinance in relation to the issuance and receipt of applications, the issuance of licenses and the collection and transmission of fees to the town clerk of the Town of Cheektowaga, New York and delegates the authority granted to it in relation to the conduct of investigations and the supervision of the operation of games of chance to the chief of police of the Town of Cheektowaga, New York.

**SECTION 22. Severability—**

If any provision of this ordinance or the application thereof to any person or circumstance shall be adjudged unconstitutional by any court of competent jurisdiction, the remainder of this ordinance or the application thereof to other persons and circumstances shall not be affected thereby, and the Town Board hereby declares that it would have enacted this ordinance without the invalid provision or application, as the case may be, had such invalidity been apparent.

That at such hearing all persons interested in the subject matter

thereof shall be given an opportunity to be heard, and be it further

**RESOLVED**, that the town clerk be and he hereby is authorized and directed to publish a certified copy of this resolution in the DEPEW HERALD AND CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES, 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 a 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.

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

Supervisor Holtz, voting aye  
Councilman Neibert, voting aye  
Councilman Wroblewski,

voting aye  
Councilman Bystrak, voting aye  
Councilman Trojanoski, voting aye  
Councilman Kornecki, voting aye  
Councilman Fath, voting aye

AYES: 7; NOES: 0; ABSENT: 0.

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 17th day of March, 1958, 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 17th day of March 1958.

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









Item No. 27-Cont'd.

BINGO ORDINANCE

Posted as follows on the 20th day of March, 1958:

1-Town Hall Bulletin Board.

Hereto attached is a copy of the affidavit of publication:

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks;  
 first publication MAR 20 1958;  
 last publication MAR 20 1958;  
 and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

day of MAR 24 1958, 19.....

Eve J. Allis

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

EVE J. ALLIS  
 NOTARY PUBLIC, STATE OF NEW YORK  
 Qualified in Erie County  
 My Commission Expires March 30, 1959  
 Registered No. 5029

Item No. 27-Cont'd.

BINGO ORDINANCE

Posted as follows on the 20th day of March, 1958:

1-Town Hall Bulletin Board.

Hereto attached is a copy of the affidavit of publication:

BINGO LICENSING LAW

MARCH 17, 1958

Check - Aug. 15, 1960

RICHARD G. BENDIS

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 20th day of March, 1958, and the last insertion being on the ..... day of ....., 19....., and that not more than six days intervened between any two publications thereof.

Richard G. Bendis

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

MAR 25 1958

19.....

John J. Hanley

Notary Public in and for Erie County

nn 1086

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 17th day of March, 1958 at 7:30 o'clock P.M., Eastern Standard Time, there were

**PRESENT:**

Benedict T. Holtz, Supervisor  
Joseph A. Neibert, Councilman  
Felix T. Wroblewski, Councilman  
Stanley R. Bystrak, Councilman  
Joseph Trojanowski, Councilman  
Joseph Kornecki, Councilman  
Alaschin Fath, Councilman

**ABSENT: —0—**

Councilman Kornecki presented the following resolution and moved its adoption:

WHEREAS, many requests have been received by the Town Board of the Town of Cheektowaga to adopt a Local Ordinance authorizing the conduct of Bingo Games, pursuant to the New York State Law.

NOW, THEREFORE,  
BE IT RESOLVED, that pursuant to the provisions of the Town Law of the State of New York and in accordance with the bingo license law as enacted and referred to in Article 14-G of the General Municipal Law of the State of New York, a public hearing, on a proposed Town Ordinance in relation to the conduct of bingo games, be held on the 7th day of April, 1958 at 8:30 o'clock P.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Road, in the said Town of Cheektowaga, New York, for the purpose of considering the advisability of adopting said ordinance, which is to be known as Local Ordinance No. 25, as follows:

**ORDINANCE**

**SECTION 1. Short Title.**

This ordinance shall be known

as the Cheektowaga Bingo Licensing Law.

**SECTION 2. Definitions.**

As used in this ordinance, unless the context requires otherwise, the following terms shall have the following meanings:

a. "Municipality" shall mean and include the Town of Cheektowaga, New York.

b. "Control commission" shall mean the state lottery control commission.

c. "Bingo" or "game" shall mean and include a specific game of chance, commonly known as bingo or lotto, in which prizes are awarded on the basis of designated numbers or symbols on a card conforming to numbers or symbols selected at random.

d. "Authorized organization" shall mean and include only bona fide religious, charitable or non-profit organizations of veterans, volunteer firemen and similar non-profit organizations.

e. "License" shall mean a license issued pursuant to the provisions of this ordinance.

f. "Governing body" shall mean the Town Board of the Town of Cheektowaga, New York.

**SECTION 3. Local laws and ordinances.**

a. The Town Board of the Town of Cheektowaga, New York, hereby provides that it shall be lawful for any authorized organization, upon obtaining a license therefor as hereinafter provided, to conduct the game of bingo within the territorial limits of the Town of Cheektowaga, subject to the provisions of article 14-G of the General Municipal Law and the provisions of the state lottery control.

b. This ordinance shall not become operative or effective unless and until it shall have been approved by a majority of the qualified electors of this municipality voting on a proposition therefor submitted at a general or special election held within the Town of Cheektowaga, New York.

**SECTION 4. Restrictions upon conduct of bingo games.**

a. No person, firm, association, corporation or organization, other than an authorized organization licensed under the provisions of this ordinance and the General Municipal Law, shall be permitted to conduct such games.

b. The entire net proceeds of any game shall be exclusively devoted to the lawful purposes of the organization permitted to conduct the same.

c. No single prize shall exceed the sum or value of two hundred fifty dollars.

d. No series of prizes on any one occasion shall aggregate more than one thousand dollars.

e. No person except a bona fide member of any such organization shall participate in the management or operation of such games.

f. No person shall receive any remuneration for participating in the management or operation of any such game.

g. The unauthorized conduct of a bingo game and any wilful violation of any provision of this ordinance shall constitute and be punishable as a misdemeanor.

**SECTION 5. Application for license.**

a. Each applicant for a license shall file with the Town Clerk of the municipality a written application therefor in the form prescribed in the rules and regulations of the control commission, duly executed and verified, in which shall be stated the name and address of the applicant together with sufficient facts relating to its incorporation and organization to enable the governing body of the municipality to determine whether or not it is a bona fide authorized organization; the names and addresses of its officers; the specific kinds of games of chance intended to be held, operated and conducted by the applicant, and the place or places where, the date or dates and the time or times when such games of chance are intended to be held, operated and conducted by the applicant under the license applied for; the items of expense intended to be incurred or paid in connection with the holding, operating and conducting of such games of chance and the names and addresses of the persons to whom, and the purposes for which, they are to be paid; the specific purposes to which the entire net proceeds of such games of chance are to be devoted and in what manner; that no commission, salary, compensation, reward or remuneration shall be paid to any person for holding, operating or conducting such game or games of chance or for assisting therein except as otherwise provided in this ordinance or in the General Municipal Law; and that no prize or aggregate of prizes will be offered or given under such license of a value in excess of the sum or value authorized to be offered or given by this ordinance and a statement of all such games of chance to be held, operated and conducted under such license and such other information as shall be prescribed by such rules and regulations.

b. In each application there shall be designated an active member or members of the applicant organization under whom the game or games of chance described in the application are to be held, operated and conducted and to the application shall be appended a statement executed by the applicant and by the member or members so designated, that he or they will be responsible for the holding, operating and conduct of such games of chance in accordance with the terms of the license and the provisions of the rules and regulations governing the holding, operation and conduct of such games of chance, the Town of Cheektowaga Ordinance and the General Municipal Law, if such license is granted.

c. In the event that any premises upon which any such game of chance is to be held, operated or conducted or which is to be used for any other purpose in connection with the holding, operating or conducting thereof, is to be leased from any person, person or corporation, a written statement shall accompany the application signed and verified under oath by such person or persons or executed and verified under oath on behalf of such corporation, stating his or its address and the amount of rent which will be paid for such premises and that such lessor or lessors, or if a corporation all of its officers and each of its stockholders who hold ten per cent or more of its stock issued and outstanding, are of good moral character and have not been convicted of crime.

**SECTION 6. Investigation; fees; duration of license.**

a. The Town Board of the Town of Cheektowaga, New York, shall make an investigation of the qualifications of each applicant and the merits of each application, with due expedition after the filing of the application, and if it shall determine that the applicant is duly qualified to be licensed under this ordinance and the General Municipal Law to hold, operate and conduct games of chance under the provisions of this ordinance and the General Municipal Law and the rules and regulations governing the holding, operation and conduct thereof in the municipality; that the member or members of the applicant designated in the application to hold, operate or conduct the games of chance, to hold, operate and conduct which the license was applied for, are bona fide active members of the applicant and are persons of good moral character and have never been convicted of a crime; that such games of chance are to be held, operated and conducted in accordance with the provisions of this ordinance and the General Municipal Law and in accordance with the rules and regulations governing the holding, operation and conduct thereof and that the proceeds thereof are to be disposed of as provided by this ordinance and the General Municipal Law, and if the govern-

ing body determines that no commission, salary, compensation, reward or remuneration whatever will be paid or given to any person holding, operating or conducting or assisting in the holding, operation and conduct of any such games of chance except as in this ordinance and the General Municipal Law otherwise provided; and that no prize will be offered or given in excess of the sum or value of two hundred fifty dollars in any single game of chance, and that the aggregate of all prizes offered and given in all of such games of chance, held, operated and conducted on a single occasion, under said license shall not exceed the sum or value of one thousand dollars, shall issue a license to the applicant for the holding, operation and conduct of the specific kinds of games of chance applied for, accordingly upon payment of a license fee or fees of ten dollars for each occasion upon which any games of chance are to be conducted under such license.

b. On or before the thirtieth day of each month, the fiscal officer of this municipality, pursuant to the General Municipal Law, shall transmit to the state comptroller a sum equal to fifty per cent of all license fees collected by such municipality pursuant to this section during the preceding calendar month.

c. No license for the holding, operation or conduct of any game or games of chance shall be issued under this ordinance which shall be effective for a period of more than one year.

**SECTION 7. Hearings; amendment of license.**

a. No application for the issuance of a license shall be denied by the governing body until after a hearing, held on due notice to the applicant, at which the applicant shall be entitled to be heard and to present evidence in support of the application and to cross-examine the witnesses of the municipality. Any license issued under this ordinance and the General Municipal Law may be amended, upon application made to the governing body of the municipality which issued it, if the subject matter of the proposed amendment could lawfully and properly have been included in the original license and upon payment of such additional license fee, if any, as would have been payable if it had been so included.

**SECTION 8. Form and contents of license; display of license.**

Each license shall be in such form as shall be prescribed in the rules and regulations promulgated by the control commission and shall contain a description of the kind of games of chance authorized to be held, operated and conducted thereunder, a statement of the name and address of the licensee, of the names and addresses of the member or members of the licensee who shall be held responsible for the holding, operation and conduct of the game or games of chance, and the date or dates and the time or times when such games of chance are authorized to be conducted and the place or places where and the date or dates and the time or times when such games of chance are to be conducted and of the specific purposes to which the entire net proceeds of such games of chance are to be devoted; if any prize or prizes are to be offered and given in cash, a statement of the amounts of the prizes authorized so to be offered and given; and any other information which may be required by said rules and regulations to be contained therein, and each license issued for the conduct of any game or games of chance shall be conspicuously displayed at the place where same is to be conducted at all times during the conduct thereof.

**SECTION 9. Control and supervision; suspension of license; inspection of premises.**

The governing body of this municipality issuing any license under this ordinance and the General Municipal Law shall have and exercise control and supervision over all games of chance held, operated or conducted under such license, to the end that the same are fairly held, operated and conducted in accordance with the provisions of such license, the rules and regulations promulgated by the control commission, the provisions of the General Municipal Law governing the holding, operation and conduct of the same and such governing body and the control commission shall have the power and authority to suspend any license issued by such governing body and to revoke the same, after notice and hearing, for violation of any such provision, and shall have the right of entry, by their respective officers and agents, at all times into any premises where any such game of chance is being held, operated and conducted or where it is intended that any such game of chance shall be held, operated and conducted, or where any equipment being used or intended to be used in the conduct thereof is found, for the purpose of inspecting the same.

**SECTION 10. Sunday; conduct of games on—**

Games of chance licensed under this ordinance may be conducted on the first day of the week, commonly known and designated as

**SECTION 11. Persons operating and conducting games; equipment; expenses; compensation.**

No person shall hold, operate or conduct any game or games of chance under any license issued under this ordinance and the General Municipal Law except an active member of the authorized organization to which the license is issued, and no person shall assist in the holding, operating or conducting of any game or games of chance under such license except an active member or a member of an organization or association which is an auxiliary to the licensee or a member of an organization or association of which such licensee is an auxiliary or a member of an organization or association which is affiliated with the licensee by being, with it, auxiliary to another organization or association and except bookkeepers or accountants as hereinafter provided, and no such game of chance shall be conducted with any equipment except such as shall be owned absolutely or used without payment of any compensation therefor by the licensee. No item of expense shall be incurred or paid in connection with the holding, operating or conducting of any game of chance held, operated or conducted pursuant to any license issued under this ordinance and the General Municipal Law, except such as are bona fide items of reasonable expense for goods, wares and merchandise furnished or services rendered which are reasonably necessary to be purchased or furnished for the holding, operating or conducting thereof, under any circumstances whatever; no rental shall be paid for the use of any premises for holding, operating or conducting such game or games of chance, nor for any other purpose in connection with the holding, operating or conducting thereof, unless the amount of such rental is stated in a statement of the licensee and is included in the license fee or fees. Any person who is a member of an organization or association which is an auxiliary to the licensee or a member of an organization or association which is affiliated with the licensee, and who is not a bona fide member of the licensee, shall be considered in making a determination of the members in issue, and the action of the control commission upon said appeal shall be binding upon said governing body and all parties to said appeal.

**SECTION 12. Immunity from prosecution; exemption.**

No person or corporation lawfully conducting, or participating in the conduct of, a game of chance, or in any manner disposing of, any shares, tickets or rights to participate in, or

permitting the conduct upon any premises owned by him or it of any game of chance conducted or to be conducted under any license lawfully issued pursuant to this ordinance and the General Municipal Law, shall be liable to prosecution or conviction for violation of any provision of article one hundred thirty of the penal law or any other law or ordinance to the extent that such conduct is specifically authorized by this ordinance and the General Municipal Law, but this immunity shall not extend to any person or corporation knowingly conducting or participating in the conduct of any game of chance under any license obtained by any false pretense or statement made in any application for such license or otherwise, or possessing, selling or disposing of shares, tickets or rights to participate in, or permitting the conduct upon any premises owned by him or it of any game of chance conducted under any license known to him or it to have been obtained by any false pretense or statement.

**SECTION 20. Offenses; forfeiture of license; inability to apply for license.**

Any person, association or corporation who or which shall make any false statement in any application for any such license or in any statement annexed thereto or shall pay any rental for the use of any premises for holding, operating or conducting any game of chance under this ordinance and the General Municipal Law or for any other purpose in connection with the holding, operating or conducting thereof, unless the amount of such rental is stated in a statement annexed to the application for the license as provided in section five of this ordinance, or shall pay or receive any sum for such rental in excess of the sum stated as the rental to be charged there-

**SECTION 13. Appeals from governing body to control commission.**

Any applicant for, or holder of, any license issued or to be issued under this ordinance and the General Municipal Law aggrieved by any action of the municipal governing body of the municipality to which such application has been made or by which such license has been issued, may appeal to the control commission from the determination of said governing body by filing with the governing body a written notice of appeal within thirty days after the determination or action appealed from, and upon the hearing of such appeal, the commission, if any, taken by the governing body and any other person or persons may be present and shall be considered in making a determination of the members in issue, and the action of the control commission upon said appeal shall be binding upon said governing body and all parties to said appeal.

**SECTION 14. Charges of admission and participation; amount of prize award of prize.**

Not more than one dollar shall be charged by any licensee for admission to any room or place in which any game or games of chance are to be held, operated and conducted under any license issued under this ordinance and the General Municipal Law, which admission fee, upon payment thereof, shall entitle the person paying the same to enter and participate in the game or games of chance without a separate charge in all regular games of chance to be played under such license on such occasion, and no charge in excess of one dollar shall be made for a single opportunity to participate in all special games on such occasion. No prizes greater in amount or value than two hundred fifty dollars shall be offered or given in any single game conducted under any such license and the aggregate amount of value of all prizes offered or given in all games played on a single occasion shall not exceed one thousand dollars, and all winners shall be determined and all prizes shall be awarded in any game played on any occasion within the same calendar day as that upon which the game was played. No alcoholic beverages shall be offered or given as a prize in any such game.

**SECTION 15. Advertising games.**

No games of chance to be conducted under any license issued under this ordinance and the General Municipal Law shall be advertised as to its location, the time when it is to be or has been played, or the prizes awarded or to be awarded, by means of newspaper, radio, television or sound trucks or by means of billboards, posters or handbills or any other means addressed to the general public, except that one sign not exceeding sixty square feet in area may be displayed on or adjacent to the premises where the game will be played and an additional sign may be displayed on or adjacent to the premises where the prize or prizes are displayed and additional signs may be displayed upon any fire fighting equipment belonging to any licensee, which is a volunteer fire company, or upon any first-aid or rescue squad equipment belonging to any licensee, which is a first-aid or rescue squad, in an throughout the community or communities served by such volunteer fire company or such first-aid or rescue squad, as the case may be.

**SECTION 16. Statement of receipts, expenses, etc.**

Within fifteen days after the conclusion of the holding, operating and conducting of any such game of chance, the authorized or-

ganization of chance, and the use to which such net profit has been or is to be applied and a list of prizes shall fully and truly record all transactions connected with the holding, operating and conducting of games of chance under any such license or shall falsify or make any false entry in any book or record so far as they relate to any transaction connected with the holding, operating or conducting of any game of chance under any such license or shall violate any of the provisions of this ordinance and the General Municipal Law or be guilty of a misdemeanor and shall forfeit any license issued to it under this ordinance and the General Municipal Law and be ineligible for a license under this ordinance and the General Municipal Law for one year thereafter.

**SECTION 17. Examination of books and records; examination of managers, etc.; disclosure of information.**

The governing body of the municipality and the control commission shall have power to examine or cause to be examined the books and records of any authorized organization to which any such license is issued so far as they may relate to any transactions connected with the holding, operating and conducting of any game of chance thereunder and to examine any manager, officer, director, agent, member or employee thereof under oath in relation to the conduct of any such game of chance under any such license but any information so received shall not be disclosed except so far as may be necessary for the purpose of carrying out the provisions of this ordinance and the General Municipal Law.

**SECTION 18. Appeals from governing body to control commission.**

Any applicant for, or holder of, any license issued or to be issued under this ordinance and the General Municipal Law aggrieved by any action of the municipal governing body of the municipality to which such application has been made or by which such license has been issued, may appeal to the control commission from the determination of said governing body by filing with the governing body a written notice of appeal within thirty days after the determination or action appealed from, and upon the hearing of such appeal, the commission, if any, taken by the governing body and any other person or persons may be present and shall be considered in making a determination of the members in issue, and the action of the control commission upon said appeal shall be binding upon said governing body and all parties to said appeal.

**SECTION 19. Immunity from prosecution; exemption.**

No person or corporation lawfully conducting, or participating in the conduct of, a game of chance, or in any manner disposing of, any shares, tickets or rights to participate in, or

permitting the conduct upon any premises owned by him or it of any game of chance conducted or to be conducted under any license lawfully issued pursuant to this ordinance and the General Municipal Law, shall be liable to prosecution or conviction for violation of any provision of article one hundred thirty of the penal law or any other law or ordinance to the extent that such conduct is specifically authorized by this ordinance and the General Municipal Law, but this immunity shall not extend to any person or corporation knowingly conducting or participating in the conduct of any game of chance under any license obtained by any false pretense or statement made in any application for such license or otherwise, or possessing, selling or disposing of shares, tickets or rights to participate in, or permitting the conduct upon any premises owned by him or it of any game of chance conducted under any license known to him or it to have been obtained by any false pretense or statement.

**SECTION 20. Offenses; forfeiture of license; inability to apply for license.**

Any person, association or corporation who or which shall make any false statement in any application for any such license or in any statement annexed thereto or shall pay any rental for the use of any premises for holding, operating or conducting any game of chance under this ordinance and the General Municipal Law or for any other purpose in connection with the holding, operating or conducting thereof, unless the amount of such rental is stated in a statement annexed to the application for the license as provided in section five of this ordinance, or shall pay or receive any sum for such rental in excess of the sum stated as the rental to be charged there-

for in which statement executed by him or on his behalf, or shall fail to keep such books and records as shall fully and truly record all transactions connected with the holding, operating and conducting of games of chance under any such license or shall falsify or make any false entry in any book or record so far as they relate to any transaction connected with the holding, operating or conducting of any game of chance under any such license or shall violate any of the provisions of this ordinance and the General Municipal Law or be guilty of a misdemeanor and shall forfeit any license issued to it under this ordinance and the General Municipal Law and be ineligible for a license under this ordinance and the General Municipal Law for one year thereafter.

**SECTION 21. Delegation of authority.**

The Town Board of the Town of Cheektowaga hereby delegates its authority under this ordinance in relation to the issuance and receipt of applications, the issuance of licenses and the collection and transmission of fees to the town clerk of the Town of Cheektowaga, New York and delegates the authority granted to it in relation to the conduct of investigations and the supervision of the operation of games of chance to the chief of police of the Town of Cheektowaga, New York.

**SECTION 22. Severability.**

If any provision of this ordinance or the application thereof to any person or circumstance shall be adjudged unconstitutional by any court of competent jurisdiction, the remainder of this ordinance and the application thereof to other persons and circumstances shall not be affected thereby, and the Town Board hereby declares that it would have enacted this ordinance without the invalid provision or provisions, as the case may be, and such invalidity does not affect the validity of the remainder.

That at such hearing all persons interested in the subject matter thereof shall be given an opportunity to be heard, and he it further

RESOLVED, that the town clerk be and he hereby is authorized and directed to publish a certified copy of this resolution in the DEWE HERALD AND CHEEKTOWAGA NEWS, 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 signboard maintained by him at the entrance of the town clerk's office, a certified copy of this resolution.

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

Supervisor Holtz, voting aye

Councilman Neibert, voting aye

Councilman Wroblewski, voting aye

Councilman Bystrak, voting aye

Councilman Trojanowski, voting aye

Councilman Kornecki, voting aye

Councilman Fath, voting aye

AYES: 7; NOES: 0; ABSENT: 0.

State of New York )  
Erie County )  
Office of the Clerk of the )  
Town of Cheektowaga )

This is to certify that I, Kenneth T. Hanley, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 17th day of March, 1958, 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 17th day of March 1958.

KENNETH T. HANLEY,

Clerk of the Town Board, Town of Cheektowaga, N.Y.

Councilman Trojanowski, voting aye

Councilman Kornecki, voting aye

Councilman Fath, voting aye

AYES: 7; NOES: 0; ABSENT: 0.

State of New York )  
Erie County )  
Office of the Clerk of the )  
Town of Cheektowaga )

This is to certify that I, Kenneth T. Hanley, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 17th day of March, 1958, 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 17th day of March 1958.

KENNETH T. HANLEY,

Clerk of the Town Board, Town of Cheektowaga, N.Y.





Item No. 28 Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a meeting held March 3, 1958, adopted a resolution that the Town Board meet at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, on the 17th day of March, 1958, Eastern Standard Time, for the purpose of considering the advisability of adding Paragraph 1A to Section 23 of the General Ordinances of the Town of Cheektowaga, 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 17th day of March, 1958, at the Town Hall in the Town of Cheektowaga, New York, for the purpose of considering the advisability of adding Paragraph 1A to Section 23 of the General Ordinances of the Town of Cheektowaga, 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 1A to Section 23 of the General Ordinances of the Town of Cheektowaga, to provide as follows:

PARKING ORDINANCE  
PARKING ON AIRPORTS AND AIRFIELDS

Pursuant to the authority of Section 130, Subdivision 22 of the Town Law of the State of New York (Laws of 1932, Chapter 634), parking, standing, storing or leaving a motor vehicle attended or unattended upon any publicly or privately owned airport, airport premises, or airfield, or the roads, driveways, traffic circles and pavements thereof, and in other than duly constituted and maintained commercial parking areas thereof without the consent and permission of the owner or lessee of said airport or airfield is hereby prohibited.

To effectuate the prohibition on such premises, as above described, a conspicuous sign or signs shall be posted at each entrance to the airport premises. A sign, as hereinafter described, shall be deemed substantial compliance with this section.

NO PARKING OR STANDING  
EXCEPT IN AUTHORIZED PARKING LOTS  
POLICE ENFORCEMENT  
UNDER PENALTY OF LAW  
ORDINANCES OF TOWN OF CHEEKTOWAGA

but any other words or phraseology prohibiting the parking, standing, storing, or leaving of motor vehicles shall suffice.

The words "police enforcement" and "under penalty of law" on such signs shall be construed, among other things, to mean that the police, special patrolmen, or any law enforcement officers shall enforce the provisions of this section against persons parking, standing, storing or leaving vehicles on such premises without the consent of the owner or lessee, and that the police and other law enforcement officers are authorized to enter upon such premises to enforce the provisions of this ordinance.

This ordinance may be enforced by the police or by special patrolmen or other law enforcement officers and they may use such procedure as is authorized by law, including tags, summonses, and towing to effectuate the enforcement of this ordinance.

Proof of ownership of a vehicle shall be presumptive evidence in an action for enforcement of this section that the owner parked or caused his vehicle to be parked on such premises.

Item No. 28-Cont'd.

This ordinance shall not prevent the establishment or continuance of commercial parking areas or employees parking areas provided said areas are plainly marked and designated and shall not limit or prevent the designation of an area for the standing and parking of taxicabs provided said areas shall be plainly marked "Taxis only may stand or park in this area."

No person shall park, stand, store, or leave a motor vehicle in any employees parking area without the consent and permission of the owner or lessee of said airport or airfield.

The standing, parking, storing or leaving of a motor vehicle, other than a taxicab, in any area designated for the parking of taxicabs shall constitute a violation of this ordinance.

Any person who shall violate any provision of this ordinance shall, upon conviction, be subject to a fine or penalty of not more than Twenty-Five Dollars (\$25.00), 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, a newspaper having a 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 Parking 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 Neibert and duly put to a vote, which resulted as follows:

Supervisor Holtz	Voting AYE
Councilman Fath	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

Posted as follows on the 20th day of March, 1958: 40

1 - Town Hall Bulletin Board

Hereto attached is an affidavit of publication.

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 20th day of March, 1958, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

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

MAR 25 1958

, 19\_\_\_\_

*Kent D. Dwyer*  
Notary Public in and for Erie County



41.

**RICHARD G. BENNETT**

being duly sworn, deposes and says that he is the

**PRESENT:**  
**Benedit T. Holtz, Supervisor**  
**Alfreda Fath, Councilman**  
**Paul T. Wroblewski, Councilman**  
**Joseph A. Neibert, Councilman**  
**Stanley R. Bystrak, Councilman**  
**Joseph M. Trojanoski, Councilman**  
**James Kornecki, Councilman**

MEMORANDUM FOR THE RECORD: —0—  
The following resolution and its adoption:

At its adoption:  
RESOLVED, this Town Board, at a meeting held March 3, 1968, passed a resolution that the Town Board meet at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, on the 10th day of March 1968, Eastern Standard Time, for the purpose of considering the advisability of adding Paragraph 1A to Section 29 of the General Ordinances of the Town of Cheektowaga, and

WHEREAS, notice of said public hearing was duly published and posted as required by law, not less than ten nor more than 20 days before the date of the hearing, as shown by the duly verified affidavit of publication and posting of said notice in the Town Clerk's

RES. pursuant to said resolution, the Town Board of the Town of Cheektowaga, New York, on the 12th day of March, 1914, in the Town Hall in the Town of Cheektowaga, New York, for the purpose of considering the advisability of adding Paragraph 1A to Article 28 of the General Ordinances of the Town of Cheektowaga.

On March 22, an opportunity was given all persons interested in the subject matter to be heard and to present their views. The public hearing was held at the Board of Health, and the Board decided to take the public interest into consideration. A. to Section 23 of the General Ordinances of the City of Chicago, to provide

## ORDINANCE

in airports and airfields under the authority of Section 22 of the Aeronautics Law of the State of New York, Chapter 624, Laws of 1933, Chapter 624), or standing, storing or leaving motor vehicle attended or unattended upon any publicly or privately owned airport, airport premises, airfield, or the roads, streets, traffic circles and pavements thereof, and in other than designated and maintained official parking areas thereof without the consent and permission of the owner or lessee of said airport or airfield is hereby prohibited.

To effectuate the prohibition on such premises, as above described, no conspicuous sign or signs shall be posted at each entrance to the premises. A sign, as herein described, shall be deemed substantial compliance with this

## 2. No Parking or Loading

**Except in Authorized Parking Lots  
Police Enforcement  
Under Penalty of Law  
Ordinances of Town  
of Cheektowaga**

but any other words or phraseology prohibiting the parking, standing, storing, or leaving of motor vehicles shall suffice.

The words "police enforcement" and "under penalty of law" on such signs shall be construed, among other things, to mean that the police, special patrolmen, or any law enforcement officers shall enforce the provisions of this section against persons parking, standing, storing or leaving vehicles on such premises without the consent of the owner or lessee, and that the police and other law enforcement officers are authorized to enter upon such premises to enforce the provisions of this ordinance.

This ordinance may be enforced by the police or by special patrolmen or other law enforcement officers and they may use such procedure as is authorized by law, including tags, summonses, and towing to effectuate the enforcement of this ordinance.

Proof of ownership of a vehicle shall be presumptive evidence in an action for enforcement of this section that the owner parked or caused his vehicle to be parked on such premises.

This ordinance shall not prevent the establishment or continuance of commercial parking areas or employes' parking areas provided said areas are plainly marked and designated and such marking or designation shall not prevent the designation of an area for the standing and parking of taxicabs provided said areas shall be plainly marked. Taxicab areas

(Affidavit)

This ordinance shall not prevent the establishment or continuance of commercial parking areas or employee parking areas provided

Self areas are plainly marked and designated and shall not limit or prevent the designation of an area

signage provided was found with  
he plainly marked "Trucks only may  
stop or park in this area."

any person shall park, stand, leave or leave a motor vehicle in the employee parking area without the consent and permission of the owner or lessee of said airport or

the standing, parking, storing or  
use of a motor vehicle, other  
than in any area design-

the parking of tanks constitutes a violation of this

any person who shall violate the provisions of this ordinance shall be subject to a fine or penalty of not more than five dollars (\$5.00).

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10-10-68

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Mr. Nathan: voting Aye  
 Mr. Nathan: voting Aye  
 Mr. Nathan: voting Aye  
 Mr. Nathan: voting Aye

**YOUNG**: 7; **NOMS**: 0; **ABSENT**: 0.  
Held: March 17th, 1968

New York )  
 ) SS:  
 Clerk of the )

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

of Cheektowaga, in the said  
County of Erie, have compared the  
existing copy of resolution with

original resolution now on file in the office, and which was passed by the Town Board of the Town of Middletown in said August.

and that the same is a correct and true transcript of such

In Witness Whereof, I

have hereunto set my  
hand and affixed the seal  
of said Town this 17th  
day of March 1938

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

CHICAGO, ILL.

**RICHARD G. BENNETT**

being duly sworn, deposes and says that he is the

New York )  
 County ) ss:  
 of the Clerk of the )  
 of Cheektowaga )

is to certify that I, KEN-  
T. HANLEY, Clerk of the  
County of Cheektowaga, in the said  
County of Erie, have compared the  
above copy of resolution with  
the original resolution now on file  
in this office, and which was passed  
by the Town Board of the Town of  
Cheektowaga in said County of  
Erie, on the 17th day of March  
1908, and that the same is a cor-  
rect 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 17th  
day of March 1938

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

Item No. 29 Councilman Fath presented the following resolution and moved its adoption:

WHEREAS, the Town Board has studied the necessity of amending the sick leave ordinance of the Town of Cheektowaga.

BE IT RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, that the Town Board of the Town of Cheektowaga, New York, shall meet at the Town Hall, corner of Broadway and Union Road in the said town on the 7th day of April, 1958 at 2:30 o'clock P.M., Eastern Standard Time, for the purpose of considering the advisability of amending the Sick Leave Ordinance of the Town of Cheektowaga by inserting the following:

#### SICK LEAVE ORDINANCE

Town employees who are absent from work for any reason shall not be entitled to pay for the period absent except as follows:

a. Non-compensation cases: Each employee who is unable to discharge the duties of his position on account of sickness, in order to receive sick pay for the period absent, must present a petition to the Town Board on the first and/or the fifteenth day of each month, which sick pay may be granted only by Town Board resolution, and which payment, if made, is to be credited against his earned sick leave, and only if proper medical certificate or proof of illness is supplied when absent for two (2) or more days at any time.

b. Compensation cases:

1. The Town of Cheektowaga hereby authorizes the insurance carrier to pay all compensation claims directly to employees entitled thereto;

2. Where compensation is so paid, the employee, in order to obtain the differential between compensation and regular pay, must petition the Town Board on the first and/or the fifteenth day of each month, which differential may be granted only by Town Board resolution, and which payment, if made, is to be credited against his earned sick leave, and only if proper medical certificate or proof of illness is supplied when absent for two (2) or more days at any time; on compensation cases, and after proper petition and resolution as above, where employee is absent from work for a period less than five (5) weeks, salary in full for the first week may be made, if earned sick leave warrants same.

That at such public hearing all persons interested in the subject matter thereof shall be given an opportunity to be heard, and be it further

RESOLVED, that the Town Clerk be and hereby is ordered and directed to publish a certified copy of this resolution in the Depew Herald and Cheektowaga News, a newspaper having a general circulation in said town, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that on or before said date he 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.

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

Supervisor Holtz	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

Posted as follows on the 20th day of March, 1958:

1 - Town Hall Bulletin Board.

Hereto attached is an affidavit of publication.

Item No. 29-Cont'd.

(Affidavit)

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

RICHARD G. BENNETT

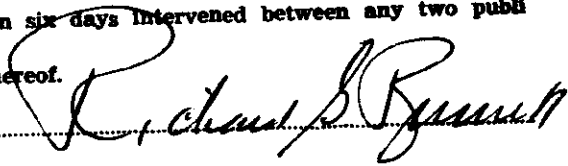
being duly sworn, deposes and says that he is the

PUBLISHER

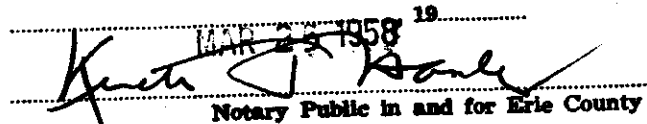
of the

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 20th day of March, 1958, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.



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

March 25 1958  
  
 Notary Public in and for Erie County

hn 1086

Item No. 29-Cont'd.

(Affidavit)

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**

on or more days at any time, on compensation cases, and after proper petition and resolution as above, where employee is absent from work for a period less than five (5) weeks, salary is full for the first week may be made, if earned sick leave warrants same.

That at such public hearing all persons interested in the subject matter thereof shall be given an opportunity to be heard, and be it further

RESOLVED, that the town clerk do and he hereby is ordered and directed to publish a certified copy of this resolution in the DEPEW HERALD AND CHEEKTOWAGA NEWS, a newspaper having a general circulation in said town, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that on or before said date he post or cause to be posted conspicuously, on a sign-board maintained by him at the residence of the Town Clerk's Office, a certified copy of this resolution.

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

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

was inserted and published therein once a week for

One week, the first insertion being on the

20th day of March, 1958, and

last insertion being on the day of

1958, and that not

more than six days intervened between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this day of

1958  
*Kenneth J. Kowalski*  
Notary Public in and for Erie County

hn 1086



Item No. 30

Councilman Kornecki moved, seconded by Councilman Fath, 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. 598 to Warrant No. 730, inclusive, drawn on the Supervisor.

AYES: -7-

NOES: -0-

ABSENT: -0- 6

Item No. 31 Moved by Councilman Wroblewski, seconded by Councilman Neibert, that the Town Clerk be authorized and directed to issue all building permit applications processed by the Petitions Committee on March 8, 1958, and March 15, 1958, after same have been approved by the Building Inspector.

AYES: -7-

NOES: -0-

ABSENT: -0- 15  
35

Item No. 32 Moved by Councilman Neibert, seconded by Councilman Wroblewski, to adjourn.

SEAL

KENNETH T. HANLEY  
Town Clerk

*Kenneth T. Hanley*