

MEETING NO. 10Cheektowaga, New York
April 7, 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 7th day of April, 1958, at 2:30 o'clock P.M., E.S.T., there were:

PRESENT:	Benedict T. Holts	Supervisor
	Alancin M. Fath	Councilman
	Felix T. Wroblewski	Councilman
	Joseph Kornecki	Councilman
	Joseph M. Trojanoski	Councilman
	Joseph A. Weibert	Councilman
	Stanley R. Bystak	Councilman

ABSENT: -0-

Also present were: Town Clerk Hanley; Town Attorney Delahunt; Chief of Police Mergmann; Special Assessment Clerk Reece; Highway Superintendent Zablotny; Town Historian Julia B. Reinstein; Receiver of Taxes and Assessments Pfohl; Town Health Officer Dr. Vendetti.

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 The following recommendation of Councilman Trojanoski was referred to the Town Attorney for study and investigation:

"For the purpose of finding a vacant taxicab stand in which to await business, or in proceeding to a definite location, a taxicab driver shall proceed with the general flow of traffic and shall not obstruct traffic by slow driving or dilatory tactics and shall not, for said purposes, frequently drive around substantially the same blocks or area. NO taxicab driver shall resort to any practice or manner of driving which unnecessarily will add to or tend to cause traffic congestion.

Any person who violates any of the provisions of the foregoing sections of this chapter shall be liable to a fine or penalty of \$50.00 for each offence."

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Item No. 4 Referred to the Assessors for a property check the petition for the improvement of Heather Road by the installation of street lighting equipment.

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Item No. 5 Referred to the Assessors for a property check the petition for the improvement of Warsaw Street by the installation of curbs and underground drains.

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Item No. 6 Referred to the Town Attorney the recommendation of the Chief of Police for the purchase of one Servi-Car, to be used in the Police Department.

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Item No. 7 Moved by Councilman Weibert, seconded by Councilman Bystak, that the Supervisor and the Town Clerk be authorized and directed to sign the \$1,080,000.00 Bond Issue for the Town of Cheektowaga, at the Signature Company, South William Street, New York City, on April 10, 1958, and that their reasonable expenses incurred be a legal charge against the Town of Cheektowaga, New York.

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Item No. 8 Moved by Councilman Wroblewski, seconded by Councilman Weibert, that the request of Recreational Director Janiak for a six week Sick Leave of Absence be granted.

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Item No. 9 Moved by Councilman Trojanoski, seconded by Councilman Fath, that the request of Assessor Schwenk to attend the State Conference of Assessors Training School in Albany, New York, on April 14, 15, and 16, be granted. 32

Item No. 10 Moved by Councilman Kornecki, seconded by Councilman Weibert, that the following named persons be appointed to the Cheektowaga Recreation Committee to serve from April 1, 1958, to March 31, 1959, at a salary of \$52.00 per year, except Edward Janiak and Walter Dominiak who are salaried employees. 31
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Item No. 11 Moved by Councilman Kornecki, seconded by Councilman Weibert, that the following be employed as laborers in the Recreation Department on or about April 15, 1958:

Robert Rutkowski for summer vacation
William Tyler
Bernard Blaszkowski
Frank Schwartz
Stanley Burek
Fred Dittmar
Walter Wozniak
Edward Piatkiewicz
A. Ziolkowski 31
16

Item No. 12 Moved by Councilman Kornecki, seconded by Councilman Wroblewski, that the following named persons be appointed Special Recreation Activities Play Supervisors at a rate of \$2.00 per hour:

John Wasielewski	John Wozniak
Albert Ziolkowski	Ted Prorek
Norman Bauer	Bernard Richards
Jack Kirisits	Ben Blaszkowski
Robert Klinshaw	Tom Sullivan
Carl Oddo	Joseph Swinski
Edward Piatkiewicz	Frank Imiola
Ray Meger	Frank Jozwiak

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

RESOLVED, that the street name of Ersa Place be changed back to Park Street (off Como Park Blvd.), and that the Park Street off Union Road be changed to North Park Avenue.

Seconded by Councilman Treja noski.

AYES: -7-

NOES: -0-

ABSENT: -0- 13

Item No. 14 Moved by Councilman Weibert, seconded by Councilman Fath, that the hereto attached recommendation of the Chief of Police be granted:

March 29, 1958

Honorable Town Board
Town Hall
Cheektowaga, New York

Gentlemen,

The Board of Fire Commissioners of the Cleveland Hill Fire District No. 6 has asked our consideration in posting of several streets in their district to facilitate the movement of Fire and First-Aid equipment.

Item No. 14-Cont'd.

I have investigated and inspected the following streets and recommend the immediate posting of these streets, as follows:

1. Oehman Boulevard, west side, south from Cleveland Drive to Mapleview Drive.
2. Concord Drive, east side, 300 feet north of Cleveland Drive.
3. Birkdale Drive, west side, south from Cleveland Drive to Mapleview Drive.
4. Highview Court, west side, 150 feet north of Cleveland Drive.

The above streets can be posted as soon as your resolution becomes effective.

Respectfully submitted,
S/S John F. Hermann

John F. Hermann
Chief of Police

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

RESOLVED, that Edward H. Pfehl, Receiver of Taxes and Assessments for the Town of Cheektowaga, New York, be authorized and directed to accept taxes from the County of Erie on County owned property for the year 1958, without fees or additions.

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

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

AYES: -7-

NOES: -0-

ABSENT: -0-

38

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

RESOLVED, that the Town of Cheektowaga designate the following period from April 28 to May 9 inclusive, for its annual Fix Up, Paint Up, and Clean Up Drive, excluding Saturday and Sunday.

BE IT FURTHER RESOLVED, that Mr. John Eberl, Sanitation Superintendent, be authorized to order 100 posters from Depew Herald and Cheektowaga News, and post them conspicuously around Town reminding all concerned to clean up their premises to help Cheektowaga be a pleasant place to live in.

Seconded by Councilman Neibert.

AYES: -7-

NOES: -0-

ABSENT: -0-

42

Item No. 17 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 17th day of April, 1958.

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS

FROM

TO

DELMAR AVENUE

CLEVELAND DRIVE

WILSHIRE ROAD

Item No. 17-Cont'd.

TYPE OF STREET LIGHTING INSTALLATION

FIVE (5) T-19 Ornamental Standards-Under Ground Conduit-1000 Lumens

WHEREAS, Edward B. Jerssecki 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 21st day of April, 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 Cheektowaga News and the Depew Herald-Cheektowaga News, 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 side 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 Helbert, and duly put to a vote which resulted as follows:

Supervisor Holts	Voting AYE
Councilman Fitch	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Kornacki	Voting AYE
Councilman Trojanski	Voting AYE
Councilman Helbert	Voting AYE
Councilman Bystrak	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

17
27

Posted as follows on the 16th day of April, 1958:

- 1-Post at corner of Delmar Avenue and Cleveland Drive
- 2-Post in front of No. 36 Delmar Avenue
- 3-Post in front of No. 51 Delmar Avenue
- 4-Post in front of No. 60 Delmar Avenue
- 5-Telephone Pole at corner of Delmar Avenue and
Windsor Road.

Attached hereto is a copy of the notice published in the Depew Herald-Cheektowaga News:

Item No. 17-Cont'd.

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE

ss.:

...for the hearing as afore-
...seconded by Councilman ...
...and duly put to a vote which
...resulted as follows:
Supervisor Holtz, voting Aye.
Councilman Fath, voting Aye
Councilman Wroblewski, voting Aye
Councilman Kordecki, voting Aye
Councilman Trujanowski, voting Aye
Councilman Neibert, voting Aye
Councilman Dystrak, voting Aye
Ayes: 7, Noes: 0, Absent: 0

State of New York
County of Erie
I, the Clerk of the ...
...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 this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 7th day of April 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 7th day of April 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 ... 10th day of ... April ... 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

APR 18 1958

19...

Kenneth T. Hanley

Notary Public in and for Erie County

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE

RICHARD G. BENNETT

At a public meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, in said Town of Cheektowaga, on the 7th day of April, 1938, at 2:30 P.M., Eastern Standard Time, there were:

PRESENT:
T. Holtz, Supervisor
M. Fath, Councilman
E. Wroblewski, Councilman
Kornecki, Councilman
M. Trojanoski, Councilman
A. Neibert, Councilman
R. Bystrak, Councilman

Bystrak offered the following resolution and moved its adoption:

RESOLVED, a petition for the improvement of both sides of the highways situated in Council Lighting District of the Town of Cheektowaga, hereinafter referred to as said petition, be set forth by the Town of Cheektowaga, hereinafter particularly designated, presented to this Town on the 17th day of April

RESOLVED, the HIGHWAYS TO BE IMPROVED be
Avenue from Cleveland
to Wilshire Road.
OF STREET LIGHTING
INSTALLATION
1. Ornamental standard
2. Under ground conduit

RESOLVED, EDWARD R. JEROME AND ANDREW H. JEROME, Assessors of said Town of Cheektowaga, have certified in writing to this Board that the petition is duly signed and attested in the same manner as required to be recorded by the Town of Cheektowaga, and that more than one-half of the frontage or bounds on each of said highways is improved, as aforesaid.

RESOLVED, the portions of said petition to be improved are situated in said Town outside incorporated village or hamlets.

WHEREFORE, IT IS ORDERED that the Board of the Town of Cheektowaga meet at the Town Hall, in said Town of Cheektowaga, on the 14th day of April, 1938, at 2:30 P.M., Eastern Standard Time, to consider the said petition and 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 once in the Depew Herald and Cheektowaga News, a newspaper having a general circulation in the town, not less than (10) nor more than (30) days before the date 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 (10) nor more than twenty days before the day designated for the hearing as aforesaid.

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 Kornecki, voting Aye.
Councilman Trojanoski, voting Aye.
Councilman Neibert, voting Aye.
Councilman Bystrak, 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 7th day of April 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 7th day of April 1938.

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

Item No. 18 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 Cheektowag 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

YVONNE AVENUE CLEVELAND DRIVE AGAINST TOWN LINE

TYPE OF STREET LIGHTING INSTALLATION

EIGHT T-19 STANDARDS 1600 LUMEN-UNDER GROUND CONDUIT (AMP)

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 Cheektowag hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described.

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS FROM TO

YVONNE AVENUE CLEVELAND DRIVE AGAINST TOWN LINE

TYPE OF STREET LIGHTING INSTALLATION

EIGHT T-19 STANDARDS 1600 LUMEN-UNDER GROUND CONDUIT (AMP)

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 therein,

(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 hereinafter 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.

Item No. 18-Cont'd.

Seconded by Mr. Fath 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 Weibert	Voting AYE
Councilman Bystrak	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

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Item No. 19 Moved by Councilman Bystrak, seconded by Councilman Fath, that the Supervisor be authorized to purchase from the Westinghouse Manufacturing Corporation Eight (8) Y-19 Standards to be used in the Yvonne Avenue Special Street Lighting District.

AYES: -7-

NOES: -0-

ABSENT: -0-

27

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

WHEREAS, the Buffalo Transit Company, Inc., has made an application for consent of local authorities of the Town of Cheektowaga, New York, to operate omnibuses on and along the following highway of the Town of Cheektowaga, New York:

George Urban Boulevard between Harlem Road and Union Road in both directions,

and

WHEREAS, by law, it is necessary that a public hearing be held on said application.

BE IT RESOLVED, that the Town Board of the Town of Cheektowaga, New York, shall meet at the Town Hall, corner of Broadway and Union Road in said Town, on the 21st day of April, 1958 at 7:30 o'clock P.M., Eastern Standard Time, for the purpose of considering the advisability of granting the said petition for consent from the Town of Cheektowaga, New York, permitting the Buffalo Transit Company, Inc., to operate omnibuses on the highway above mentioned; that at such public hearing all persons interested in the subject matter thereof will be given an opportunity to be heard, and be it further

RESOLVED and Ordered, that the Town Clerk be and he hereby is ordered and directed to publish a certified copy of this resolution and order in the DEPUY 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; that not less than ten (10) nor more than twenty (20) days prior to the date of the hearing the Town Clerk post conspicuously or cause to be posted conspicuously certified copies of this resolution and order in five (5) public places within the Township.

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

Supervisor Holts	Voting AYE
Councilman Weibert	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-

42

Item No. 29 Cont'd.

Posted as follows on the 16th day of April, 1958:

- 1-Post at corner of George Urban Blvd. and Union Road;
- 2-Telephone Pole No. 4 on George Urban Blvd;
- 3-Post at corner of George Urban Blvd. and Seminole Lane;
- 4-Post at corner of George Urban Blvd. and Miami Parkway;
- 5-Post at corner of George Urban Blvd. and Patton Lane;
- 6-Post at corner of George Urban Blvd. and Toelsin Road;
- 7-Post at corner of George Urban Blvd. and Westland Pkwy;
- 8-Telephone Pole at corner of George Urban Blvd. and Harlem Avenue

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

STATE OF NEW YORK
COUNTY OF ERIE

... have examined the foregoing copy of resolution with the original resolution now on file at the office of the Town Board of the Town of Cheektowaga, Erie County, New York, and the same is a correct and true copy of each original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 18th day of April, 1958.

JOHN T. HANLEY
Town Board of Cheektowaga, N. Y.

... The class of Mrs. Sankof at the Depew Methodist Church presented water baskets to the patients of the Purgals Nursing Home last Sunday.

... The meeting of the St. Joseph's Cathedral, Depew, at St. Josephs Cathedral, Depew, at the home attended High School Club will be held at the Depew High School, Depew, on Thursday, April 17, at 8 p.m.

ss.:

RICHARD G. BERNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga
Herald and News

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for One week, the first insertion being on the 10th day of April, 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
APR 18 1958
_____, 19____

John T. Hanley
Notary Public in and for Erie County

Item No. 29 Cont'd.

Posted as follows on the 16th day of April, 1958:

- 1-Post at corner of George Urban Blvd. and Union Road;
- 2-Telephone Pole No. 4 on George Urban Blvd;
- 3-Post at corner of George Urban Blvd. and Seminole Lane;
- 4-Post at corner of George Urban Blvd. and Miami Parkway;
- 5-Post at corner of George Urban Blvd. and Patton Lane;
- 6-Post at corner of George Urban Blvd. and Toelsin Road;
- 7-Post at corner of George Urban Blvd. and Westland Pkwy;
- 8-Telephone Pole at corner of George Urban Blvd. and Harlem Avenue

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

STATE OF NEW YORK
 COUNTY OF ERIE

ss:

RICHARD G. BENNETT

I, Kenneth T. Hanley, Supervisor of the Town of Cheektowaga, New York, do hereby certify that the following is a true and correct copy of the resolution of the Town Board of the Town of Cheektowaga, New York, passed on the 16th day of April, 1958, at 7:30 P.M., for the purpose of considering the application of granting the right of eminent domain to the Buffalo Transit Inc., to operate and maintain the highway above mentioned.

That at such public hearing the person or persons interested in the subject matter will be given an opportunity to be heard, and be it

RESOLVED and ORDERED, that the Town Clerk be and he hereby is directed and directed to publish and direct to publish a 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; that not less than ten (10) nor more than twenty (20) days prior to the date of the hearing the Town Clerk post conspicuously or cause to be posted conspicuously copies of this resolution in five (5) public places within the Township.

Recorded 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 Trojanoski, 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, New York, do hereby certify that the foregoing is a true and correct copy of the resolution of the Town Board of the Town of Cheektowaga, New York, passed on the 16th day of April, 1958, at 7:30 P.M., for the purpose of considering the application of granting the right of eminent domain to the Buffalo Transit Inc., to operate and maintain the highway above mentioned.

Item No. 29 Cont'd.

Posted as follows on the 16th day of April, 1958:

- 1-Post at corner of George Urban Blvd. and Union Road;
- 2-Telephone Pole No. 4 on George Urban Blvd;
- 3-Post at corner of George Urban Blvd. and Seminole Lane;
- 4-Post at corner of George Urban Blvd. and Miami Parkway;
- 5-Post at corner of George Urban Blvd. and Patton Lane;
- 6-Post at corner of George Urban Blvd. and Toolson Road;
- 7-Post at corner of George Urban Blvd. and Westland Pkwy;
- 8-Telephone Pole at corner of George Urban Blvd. and Harlem Avenue

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

STATE OF NEW YORK
COUNTY OF ERIE

RICHARD G. KENNETH

Respectfully T. Holtz, Supervisor
Joseph A. Nelbert, Councilman
William T. Wroblewski, Councilman
Stanley T. Bystrak, Councilman
Joseph Trojanowski, Councilman
Joseph Kornecki, Councilman
William T. Holtz, Councilman

Resolved, that the Buffalo Transit
Company, Inc., has made an applica-
tion for consent of local author-
ities, in the Town of Cheektowaga,
New York, to operate omnibuses on
and along the following highway of
the Town of Cheektowaga, New
York:

George Urban Boulevard be-
tween Harlem Road and Union
Road in both directions.

Resolved, by law, it is nec-
essary that a hearing be held
on said application.

It is further resolved, that the
Town Board of the Town of Cheek-
towaga, New York, shall meet at
the Town Hall, corner of Broadway
and Union Street in said Town, on
the 21st day of April, 1958, at 7:30
o'clock P.M., to consider

the application of granting the
said consent for omnibuses from the
Buffalo Transit Company, Inc., to operate omni-
buses on the highway above men-
tioned; that at such public hearing
all persons interested in the subject
matter thereof will be given an op-
portunity to be heard, and to 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 DEWEY HERALD
AND CHEEKTOWAGA NEWS, a
newspaper having a general circula-
tion in said Town, not less than
ten (10) nor more than twenty
(20) days prior to the date of the
hearing; that not less than ten (10)
nor more than twenty (20) days
prior to the date of the hearing the
Town Clerk post conspicuously or
cause to be posted conspicuously
copies of this resolution
and order in five (5) public places
within the Township.

Seconded by Councilman Wro-
blewski, and duly put to a vote
which resulted as follows:
Supervisor Holtz, voting Aye.
Councilman Nelbert, voting Aye
Councilman Wroblewski,
Councilman Bystrak, voting Aye
Councilman Trojanowski, voting Aye
Councilman Kornecki, voting Aye
Councilman Holtz, voting Aye
AYES: 7; NOES: 0; ABSENT: 0.

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

This is to certify that I, Kenneth
T. Hanley, Clerk of the Town of
Cheektowaga, in the said County
of Erie, have compared the fore-
going copy of resolution with the
original resolution now on file at
this office, and which was passed
by the Town Board of the Town
of Cheektowaga in said County of
Erie, on the 7th day of April, 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
(seal) hand and affixed the seal
of said Town this 7th
day of April, 1958.

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

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

WHEREAS, bids were received at the March 17th, 1958 meeting of the Cheektowaga Town Board for the purchase of one 1958 Chevrolet 3/4 ton pickup truck for the Highway Department, and

WHEREAS, the bids were referred to the Finance committee for tabulation,

WHEREAS, the bid of Herman Chevrolet, Inc., in the amount of \$1620.00, was the lowest bid submitted in accordance with the specifications.

BE IT RESOLVED, that the Supervisor be and he hereby is authorized to enter into a contract with Herman Chevrolet, Inc., for the purchase of one 1958 Chevrolet 3/4 ton pickup truck at a cost of \$1620.00.

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

Supervisor Holts	Voting AYE
Councilman Helbert	Voting AYE
Councilman Krobleski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanowski	Voting AYE
Councilman Kormacki	Voting AYE
Councilman Patch	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

1/3

Item No. 22 The following resolution was offered by Councilman Bystrak, who moved its adoption, seconded by Councilman Helbert, to wit:

CAPITAL NOTE RESOLUTION DATED APRIL 7, 1958,
AUTHORIZING THE ISSUANCE OF \$7,000.00 LIGHTING
DISTRICT CAPITAL NOTES OF THE TOWN OF CHEEKTOWAGA,
IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL
FINANCE LAW.

WHEREAS, the expense of making the improvements hereinafter described must be borne by local assessment upon the several lots and parcels of land within the district in proportion to the amount of benefit which the improvements shall confer upon the same, and in the manner provided in Section 202-a of the Town Law for the assessment of the cost of maintenance in a sewer district as the same shall be annually determined and apportioned by the Town Board, and the Town Board desires to issue capital notes to finance the cost of said improvements and to annually apportion and assess upon the several lots and parcels of land especially benefited by such improvements in proportion to the amount of benefit which the improvements shall confer upon the same, an amount sufficient to pay the principal of and the interest on the capital notes issued for such improvements as the same shall become due and payable, all of which shall be done in accordance with the provisions of Subdivision 6 of Section 198 of the Town Law,

NOW, THEREFORE,

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

Section 1. In order to finance the specific object or

purpose hereinafter described, the Town of Cheektowaga, in the County of Erie, shall issue its capital notes of the aggregate principal amount of \$7,000.00, pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose" to be financed pursuant to this resolution is the purchase and installation of street lighting equipment pursuant to Section 198 of the Town Law of New York, along the highways as hereinafter set forth, to serve properties on both sides of said highways, to wit:

Item No. 22-Cont'd.

- a) Thruway Court from Beach Road to Lucid Drive.
- b) Lucid Drive from Beach Road to Thruway Court.
- c) Walton Drive from Cleveland Drive to Amberst Town Line.
- d) Beale Avenue from Barrymore Road to Rosary Blvd.
- e) Patton Lane from George Urban Boulevard to McLaughlin Avenue.
- f) McLaughlin Avenue from George Urban Boulevard to Scasagunda Creek.

Section 3. It is hereby stated that:

- a) The maximum cost of said purpose as estimated by the Town Board is \$7,000.00.
- b) No money has heretofore been applied to the payment of the cost of said purpose.
- c) The Town Board plans to finance the cost of said purpose from funds raised by the issuance of said capital notes.
- d) All of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

Section 4. For the purpose of paying the cost of such purpose, there are hereby authorized to be issued, pursuant to the Local Finance Law, \$7,000.00 capital notes of the Town of Cheektowaga, to be designated substantially lighting District Capital Notes Series A of 1958, which shall bear a date not earlier than April 7, 1958, to be fixed by the Supervisor in the following denominations and to be numbered as follows, and mature as follows, to wit:

- 1. In the amount of \$3,500.00 maturing on April 1, 1959, and
- 2. In the amount of \$3,500.00 maturing on April 1, 1960,

each of said notes to bear interest at a rate not exceeding two and three-quarters per centum per annum, payable semi-annually on October 1 and April 1. Such capital notes to be in bearer form with the privilege of conversion to capital notes registered as to principal and interest.

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

Section 6. The faith and credit of the Town of Cheektowaga are hereby irrevocably pledged to the payment of the principal of and interest on such capital notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such capital note becoming due and payable in such year. There shall be annually apportioned and assessed upon the several lots and parcels of land especially benefited by the aforesaid improvements in proportion to the amount of benefit which the improvements shall confer upon the same, and in the manner provided in Section 202-a of the Town Law, an amount sufficient to pay the principal of and interest on such capital notes as the same become due and payable.

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

Item No. 22-Cont'd.

Section 8. It is hereby determined that said purpose is an object or purpose described in Subdivision 35 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five (5) years.

Section 9. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be not later than April 1, 1960.

Section 10. The validity of said capital notes may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution of New York.

Section 11. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of the 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.

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

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

Supervisor Holts	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Meibert	Voting AYE
Councilman Fath	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -1-

12
27

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

Item No. 22-Cont'd.

AFFIDAVIT

RE:

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 10th day of April, 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

APR 18 1958

, 19.....

[Signature]
 Notary Public in and for Erie County

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE

Capital News Corporation (Banc
April 7, 1958. According to the in-
surance of \$7,000.00. Lightning In-
surance Capital News of the Town
of Chatterbox. In the County
of Chatterbox. In the State of
Florida.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

[illegible]

AND WHEREFORE,
RESOLVED by the Town
of the Town of Cheekow-
in the County of Erie, as fol-

Section 1. In order to finance the object or purpose herein described, the Town of ... in the County of ... make its capital note of ... amount of ... pursuant to the Local Law of New York.

2. The specific object or purpose" to be financed pursuant to this resolution is the purchase and installation of street lighting equipment pursuant to the provisions of the Town Law of 1902, along the highway as set forth, to serve property on both sides of said highway to wit:

Thruway Court from Beach Road to Lucid Drive.
Lucid Drive from Beach Road to Thruway Court.

Walton Drive from Cleveland
Barge to Amherst Town Line.

● Beale Avenue from Barry-
more Road to Henry Blvd.
● Union Lane from George Ur-

McNaughton Avenue from

McNoughton Avenue from
George Urban Boulevard to
Kaskiquada Creek.

Section 3. It is hereby stated
that:

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

b) No money has heretofore been applied to the payment of the

6. The Town Board plans to fix the cost of said purpose.

of said capital notes.

d) All of such cost is to be paid by assessments upon benefited real property in an area less than the

Section 4. For the purpose of covering the cost of such purposes

there are hereby authorized to be issued, pursuant to the Local Finance

finance Law, \$7,000.00 capital note of the Town of Cheektowaga, to be designated substantially Lighting.

District Capital Notes Series A
1958, which shall bear a date no
earlier than April 7, 1958, to

earlier than April 7, 1938, to be fixed by the Supervisor in the following denominations and to be

numbered as follows, and mature
as follows, to wit:

1. In the amount of \$3,500
maturing on April 1, 1960
and
the amount of \$3,500

2. In the amount of \$3,500.
maturing on April 1, 1900.
Each of said notes to bear inter-

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 08-11-2001 BY 60322 UCBAW

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

each of said notes to bear interest at a rate not exceeding two and three-quarters percentum per annum, payable semi-annually on October 1 and April 1. Such capital notes to be in bearer form with the privilege of conversion to capital notes registered as to principal and interest.

Section 5. All other matters except as provided herein, relating to such capital notes, shall be determined by the Supervisor. Such capital notes shall contain substantially the recital of validity clause provided for in Section 32.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine.

Section 6. The faith and credit of the Town of Chestnawana and hereinafter lawfully authorized officers and persons jointly and severally shall be pledged to the payment of the principal of and interest on such capital notes as the same respectively become due and payable in an annual appropriation made to be made in each year sufficient to pay the principal of and interest on such capital note becoming due and payable in such year. There shall be annually appropriated and assessed upon the several lots and parcels of land or interests therein owned or lawfully benefited by the townland assessments in proportion to the amount of benefit which the improvements shall confer upon the lots, and in the manner provided for in Article 302-a of the Town Law, a sum sufficient to pay the principal of and interest on such notes as the same become payable.

7. Each contractor shall be responsible for the payment of all taxes and fees levied on the purchase of the property. The contractor shall be responsible for the payment of all taxes and fees levied on the purchase of the property. The contractor shall be responsible for the payment of all taxes and fees levied on the purchase of the property.

Section 2. It is hereby determined that said purpose is an object or purpose described in Sub-section 25 of paragraph (a) of Section 11(b) of the Local Finance Law and that the period of probable usefulness of said purpose is

Section 2. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be not later than 1960.

[illegible]

Section 11. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of the said Local Finance Law, and such publication shall be in the DEPEW HERALD AND CHESTOWAGA NEWS, a newspaper published and having a general circulation in said Town.

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

The capital note resolution published herewith has been adopted on the 7th day of April, 1968, and the validity of the obligations authorized by such capital note resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice; or such obligations were authorized in violation of the provisions of the Constitution of New York.

KENNETH T. HANLEY
Town Clerk of the Town
Chesham, N.Y.

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

WHEREAS, the Town Engineer has requested the purchase of a new Expanding Root Cutter, Model ACR-3 to facilitate the Sewer Department, and

WHEREAS, the above mentioned Expanding Root Cutter will cost two hundred nineteen dollars and seventy-five cents (\$219.75).

BE IT RESOLVED, that the Supervisor be and he hereby is authorized to purchase the above described expanding root cutter from the Champion Corporation of 4712 Sheffield Avenue, Hammond, Indiana, at a cost not to exceed the sum of two hundred nineteen dollars and seventy-five cents (\$219.75) and to make a payment accordingly.

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 Dyztrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

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

WHEREAS, bids were received on February 3rd, 1958 for the construction of lateral sewers on Smallwood Terrace, Buell Avenue and Genesee Street, and

WHEREAS, the lowest bid submitted for the construction of a lateral sewer on Smallwood Terrace was the bid of Sergi Bros. in the amount of \$5,301.25, and

WHEREAS, the lowest bid submitted for the construction of a lateral sewer on Buell Avenue and Genesee Street was the bid of CMH Co., Inc. in the amount of \$7,873.00.

BE IT RESOLVED, that the Town of Cheektowaga, New York, accept the bids of Sergi Bros. in the amount of \$5,301.25 and CMH Co., Inc. in the amount of \$7,873.00. That Hunsbawmer, Clarke & Velay, Consulting Engineers for the Town of Cheektowaga, New York, and the Town Attorney prepare the necessary contract documents to be signed by the Contractors and the Town of Cheektowaga, New York, for the work to be done in accordance with the plans and specifications prepared by the Consulting Engineers.

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

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

AYES: -7-

NOES: -0-

ABSENT: -0-

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

WHEREAS, Change Order No. 5 has been submitted, pursuant to the contract for the construction of Sanitary Sewer District No. 7, as follows:

Change Order No. 5
In the amount of \$8,800.00 for tunneling
and installing 8" Dia. V.T. Pipe under
George Urban Boulevard.

and

Item No. 25-Cont'd.

WHEREAS, the same has been approved by Hunsbammer, Clarke & Velsy, Consulting Engineers for 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. 26

Councilman Trojanoski presented the following resolution and moved its adoption:

WHEREAS, emergency sewer repairs were required on Colby Street in Sanitary Sewer District No. 3, which repairs were ordered by the Town Engineer, and

WHEREAS, the cost of the work and materials amounted to \$270.85, and

BE IT RESOLVED, that the voucher of Straco, Inc., in the amount of \$270.85 to do the work and furnish the materials, be approved and ordered paid.

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

AYES: -7-

NOES: -0-

ABSENT: -0-

24

Item No. 27

Councilman Trojanoski presented the following resolution and moved its adoption:

WHEREAS, emergency sewer repairs were required on Rogers Drive in Sanitary Sewer District No. 5, which repairs were ordered by the Town Engineer, and

WHEREAS, the cost of the work and materials amounted to \$2,008.41, and

WHEREAS, emergency sewer repairs were required on Preston Road in Sanitary Sewer District No. 5, which repairs were ordered by the Town Engineer, and

WHEREAS, the cost of the work and materials amounted to \$785.36.

BE IT RESOLVED, that the vouchers of Scraco, Inc., in the amounts of \$2,008.41 and \$785.36, to do the work and furnish the materials, be approved and ordered paid.

Seconded by Councilman Wroblewski 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. 28 Councilman Trojanoski presented the following resolution and moved its adoption:

WHEREAS, emergency sewer repairs were required on Pine Ridge Terrace in Sanitary Sewer District No. 4, which repairs were ordered by the Town Engineer, and

WHEREAS, the cost of the work and materials amounted to \$678.22, and

WHEREAS, emergency sewer repairs were required on Bell Street in Sanitary Sewer District No. 4, which repairs were ordered by the Town Engineer, and

WHEREAS, the cost of the work and materials amounted to \$1,252.43, and

BE IT RESOLVED, that the vouchers of Straco, Inc., in the amounts of \$678.22 and \$1,252.43, to do the work and furnish the materials, be approved and ordered paid.

Seconded by Councilman Wroblewski 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. 29 Councilman Wroblewski presented the following resolution and moved its adoption:

BOND RESOLUTION DATED APRIL 7, 1958, AUTHORIZING THE ISSUANCE OF \$166,000 SERIAL BONDS AND \$9,000 CAPITAL NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE ERECTION AND EQUIPMENT OF A HIGHWAY BUILDING.

- - - - -

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

Section 1. The Town of Cheektowaga, in the County of Erie, shall issue its Serial Bonds of the aggregate principal amount of \$166,000 and its Capital Notes of the aggregate principal amount of \$9,000, 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 Serial Bonds is the construction of a Class "A" (fireproof) building, as defined in Section 11.00 of the Local Finance Law, to be used by the Town Superintendent of Highways as a place for the housing and storage of machinery, tools, implements and equipment owned by the Town of Cheektowaga, on the parcel of land now owned by the Town located on Union Road near Broadway, and the acquisition of furnishings and equipment suitable for the use of said building for such purpose.

Section 3. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board, is \$175,000, and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) current funds in the amount of \$9,000 will be provided prior to the issuance of said Serial Bonds, or of any bond anticipation notes issued in anticipation of the issuance of said Serial Bonds, by the issuance of the Capital Notes hereby authorized, and (d) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds and from said current funds.

Item No. 29-Cont'd.

Section 4. It is hereby determined that said purpose is an object or purpose described in Subdivision 11(a) 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 5. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

Section 6. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and that 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 Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or if said obligations are authorized in violation of the provisions of the Constitution of New York.

Section 7. This resolution shall be submitted to a referendum in the manner prescribed in Article 6 of the Town Law.

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

Supervisor Holts	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Weibert	Voting AYE
Councilman Fath	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the Town Board has duly adopted the bond resolution described in the proposition hereinafter set forth, and said resolution provides that it shall be submitted to a referendum in the manner prescribed in Article 6 of the Town Law, and the Town Clerk has, with the advice of the Town Attorney, prepared the propositions hereinafter set forth and has transmitted such propositions to the Town Board, and

WHEREAS, the Town Board desires to submit to the qualified voters of the Town, as provided in Section 142 of the Highway Law of New York, the question whether the Town Superintendent of Highways shall be authorized to erect a building for the purpose of housing and storing machinery, tools, implements, and equipment owned by the Town, at a total cost which shall not exceed \$175,000.00; NOW, THEREFORE,

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

(1) A special election shall be held in the Town of Cheektowaga on the 29th day of April, 1958, for the purpose of submitting to the qualified electors of said Town the following two propositions:

Item No. 29-Cont'd.PROPOSITION NO. 1

Shall the qualified electors of the Town of Cheektowaga, in the County of Erie, approve the Bond Resolution adopted by the Town Board of said Town on the 7th day of April, 1958, which resolution authorizes the issuance of \$166,000 Serial Bonds and \$9,000 Capital Notes of said Town, pursuant to the Local Finance Law of New York, to finance the construction of a building to be used by the Town Superintendent of Highways as a place for the housing and storage of machinery, tools, implements and equipment of the Town of Cheektowaga, on the parcel of land now owned by the Town located on Union Road near Broadway, and the acquisition of furnishings and equipment suitable for the use of said building for such purpose, and determines that the maximum cost of said building, as estimated by the Town Board, is \$175,000, and determines that such cost shall be financed by the issuance of such Serial Bonds and Capital Notes, and that the maturity of such obligations will be in excess of five years?

PROPOSITION NO. 2

Shall the Town Board of the Town of Cheektowaga authorize the Town Superintendent of Highways to erect a building for the purpose of housing and storing machinery, tools, implements and equipment owned by the Town, on the parcel of land now owned by the Town located on Union Road near Broadway, and acquire therefor the furnishings and equipment suitable for the use of said building for such purpose, and to expend for said purpose a sum not exceeding \$175,000?

(2) Said special election shall be held at the following voting places in said Town, and the qualified voters of each election district shall vote at the voting place listed opposite the election districts as designated, to wit:

VOTING PLACESELECTION DISTRICTS

Cleveland Hill Fire Hall	13-14-15-16-17-19-20-21.
Pine Hill Fire Hall	31-32-33-34-35-36.
U-Crest Fire Hall	5-26-37-38-39.
School No. 10 - Alexander Street	40-41-42-43-44-45.
Sloan Village Hall	46-47-48-49-50.
Theodore Roosevelt School	51-52-54.
Cheektowaga Town Hall	1-2-4-53.
Cayuga Fire Hall - Depew	3-6-7.
Doyle Fire Hall No. 2-Willowlawn and Griswold Street	55-56-57.
North Hill Elementary School	8-9-10-11-12-23-24-25.
Tiorunda School	18-22-27-28-29-30.

The polls for said election shall open at the hour of 1 o'clock P.M. (Eastern Daylight Saving Time) and shall close at the hour of 9 o'clock P.M. (Eastern Daylight Saving Time). The vote upon each such proposition shall be taken by ballot in the manner prescribed by law.

(3) The Town Clerk is hereby authorized and directed to give notice of said special election in the manner provided by law, and to cause suitable ballots to be prepared for use at said election.

(4) The Board of the Town of Cheektowaga hereby designates:

Item No. 29-Cont'd.

Helen Paa	Alice Schulte
Virginia Szydlowski	Amanda Kielholz
Evelyn Maurer	Agnes Kriatkowski
Martha Pachucki	Domerville Torba
Lottie Pajak	Rita Geis
Mae Karaszewski	Mayme Ostwald
Freda Glin	Nola Storts
Helen Wroblewski	Mary Holsbauer
Stanley Breister	Irene Wisniewski
Helen Maszowski	Leuella Off
Betty Wojtkowiak	Kay Bartoszewicz
Beatrice Natalia	Ruth Schrier
Josephine Wlaczorek	Pearl Tol
Wendy Andrzejewski	Helen Dukat
Rita Brown	Adaline Gross
Kathryn Rupp	Dorothy Rhodes
Eather Lee	

to act as Election Inspectors and Ballot Clerks at said special town election.

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

Supervisor Holts	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Heibert	Voting AYE
Councilman Fath	Voting AYE
Councilman Trejanoski	Voting AYE
Councilman Kornecki	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE,
NEW YORK
NOTICE OF SPECIAL TOWN ELECTION

PLEASE TAKE NOTICE that the Town Board of the Town of Cheektowaga, in the County of Erie and State of New York, has called a special town election which shall be held in said Town on April 29, 1958, at the following voting places, and the qualified voters of each election district shall vote at the voting place listed opposite the election districts as designated, to wit:

VOTING PLACES

ELECTION DISTRICTS

Cleveland Hill Fire Hall	13-14-15-16-17-19-20-21.
Pine Hill Fire Hall	31-32-33-34-35-36.
U-Crest Fire Hall	5-26-37-38-39.
School No. 10 - Alexander Street	40-41-42-43-44-45.
Sloan Village Hall	46-47-48-49-50.
Theodore Roosevelt School	51-52-54.
Cheektowaga Town Hall	1-2-4-5.
Cayuga Fire Hall - Depew	3-6-7.
Doyle Fire Hall No. 2 - Willowlawn and Griswold Street	55-56-57.
North Hill Elementary School	8-9-10-11-12-23-24-25.
Tiorunda School	18-22-27-28-29-30.

There will be submitted to the qualified voters of said Town at said election the following propositions:

PROPOSITION NO. 1

Shall the qualified electors of the Town of Cheektowaga, in the County of Erie, approve the Bond Resolution adopted by the Town Board of said Town on the 7th day of April, 1958, which resolution authorizes the issuance of \$166,000 Serial Bonds and \$9,000 Capital Notes of said Town, pursuant to the Local Finance Law of New York, to finance the construction of a building to be used by the Town Superintendent of Highways as a place for the housing and storage of machinery, tools, implements and equipment of the Town of Cheektowaga, on the parcel of land now owned by the Town located on Union Road near Broadway, and the acquisition of furnishings and equipment suitable for use of said building for such purpose, and determines that the maximum cost of said building, as estimated by the Town Board, is \$175,000, and determines that such cost shall be financed by the issuance of such Serial Bonds and Capital Notes, and that the maturity of such obligations will be in excess of five years?

PROPOSITION NO. 2

Shall the Town Board of the Town of Cheektowaga authorize the Town Superintendent of Highways to erect a building for the purpose of housing and storing machinery, tools, implements and equipment owned by the Town, on the parcel of land now owned by the Town located on Union Road near Broadway, and acquire therefor the furnishings and equipment suitable for the use of said building for such purpose, and to expend for said purpose a sum not exceeding \$175,000?

and that the polls at said election will be opened at the hour of 1 o'clock P.M., Eastern Daylight Saving Time, and will be closed at the hour of 9 o'clock P.M., Eastern Daylight Saving Time, and that the vote upon such propositions will be taken by ballot in the manner provided by law.

No person is entitled to vote at said election unless he or she is an elector of said Town of Cheektowaga and is the owner of property assessed upon the last preceding Town assessment roll.

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

Dated: April 7, 1958

KENNETH T. HANLEY, Town Clerk

Posted as follows on the 16th day of April, 1958:

- 1 - Town Hall Bulletin Board;
- 2 - U-Crest Fire Hall - Evergreen Street and Clover Place;
- 3 - Pine Hill Fire Hall - Genesee Street and Normandy Avenue;
- 4 - Cleveland Hill Fire Hall - Cleveland Drive and Merrymont Road;
- 5 - Rescue Fire Hall - Pine Ridge Road;
- 6 - Cayuga Fire Hall - Broadway and River Street, Depew;
- 7 - Doyle Fire Hall No. 2 - Willowlawn and Griswold Street;
- 8 - Sloan Village Hall - Halstead Avenue, Sloan;
- 9 - Doyle Fire Hall No. 1 - William and Alaska Street;
- 10 - South Line Fire Hall - French Road.

Hereto attached is a copy of the Notice published in the DEPEW HERALD-CHEEKTOWAGA NEWS, and the CHEEKTOWAGA TIMES:

11
3
12

Item

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 three weeks:
first publication APR 10 1958;
last publication APR 24 1958;
and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

day of APR 30 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

AFFIDAVIT

24 JAN 1964

VOTING PLACES	ELECTION DISTRICTS
Checkoway High School Hall	12, 14, 15, 16, 17, 19, 20, 21
City Hall Fire Hall	21, 32, 33, 34, 35, 36
City Court Fire Hall	3, 25, 27, 28, 32
Market No. 12, Alexander St.	38, 41, 42, 43, 44, 45
Sloan Village Hall	46, 47, 48, 49, 50
Theodore Roosevelt School	51, 52, 54
Checkoway Town Hall	1, 2, 4, 53
Cayuga Fire Hall, Depew	3, 5, 7

Doyle, Mrs. Hattie, 2 Wil-
son Ave. and Cleveland St.
North Pitt Elementary School
Florida School

There was no submitted to the qualified voters of said town by said petition the following propositions:

Resolved, that the Finance Committee of the Town of Chesham, in the County of Essex, do hereby certify that the Town Engineer has submitted to the Town Board a plan for the construction of a building to be used by the Town Superintendant of Highways as a place for the keeping and storage of agricultural tools, implements and equipment of the Town of Chesham, and on the parcel of land now owned by the Town located at Union Road near Chesham, and the acquisition of furnishings and equipment suitable for use of said building for such purposes, and determines that the maximum cost of said building as estimated by the Town Board is \$175,000, and determines that such cost shall be financed by the issuance of such Serial Bonds and Capital Notes, and that the maturity of such obligations will be in excess of five years;

PROPOSITION No. 2

Shall the Town Board of the Town of Cheektowaga authorize the Town Superintendent of Highways to erect a building for the purpose of housing and storing machinery, tools, implements and equipment owned by the Town, on the parcel of land now owned by the Town located on Union Road near Broadway, and acquire therefor the furnishings and equipment suitable for the use of said building for such purposes, and to expend for said purposes a sum not exceeding \$10,000.00, and that the sale of such property will be entered at the rate of a sum of \$1.00 Eastern Daylight Saving Time and the amount of the bond of the Town of Cheektowaga, and that the Town of Cheektowaga shall be liable to satisfy all such obligations as the Town of Cheektowaga may incur in the execution of the same.

who is an owner of said Town of Clarksburg and is the owner of property assessed upon the last preceding Town assessment roll.

By order of the Town Board of the Town of Cheek-
 (Signed: April 7, 1933)

KENNETH D. HANLEY
Town Clerk

Item No. 29-Cont'd.

ATTORNEY

STATE OF NEW YORK
COUNTY OF ERIE

PLEASE TAKE NOTICE that the Town Board of the Town of Cheektowaga, in the County of Erie and State of New York, has called a special town meeting which shall be held in said Town on April 29, 1968, at the following voting places, and the qualified voters of each election district shall vote at the voting place listed opposite the election districts as designated, to wit:

Voting Places		Election Districts	
James Earl Ray Hall	1, 14, 15, 16, 17, 18, 20, 21		
High Five Hall	22, 23, 24, 25, 26		
St. Peter's Hall	2, 28, 29, 30, 31, 32		
No. 20, Alexander St.	33, 34, 35, 36, 37, 38, 39		
Chicago Hall	40, 41, 42, 43, 44, 45		
Deane's School	46, 47, 48, 49, 50		
Deane's Town Hall	51, 52, 53		
The Hall, Deane	1, 2, 3, 4, 5, 6, 7		
Ray Hall No. 2, Williams and Colquhoun Street	8, 9, 10, 11, 12, 13, 14, 15, 16, 17		
Ray Hall No. 3, Williams and Colquhoun Street	18, 19, 20, 21, 22, 23, 24, 25		
Ray Hall No. 4, Williams and Colquhoun Street	26, 27, 28, 29, 30		

and the qualified voters of the Town of Cheektowaga, in the County of Erie and State of New York, shall be held in said Town on the 29th day of April, 1968, which resolution shall be subject to the approval of the Town Board of the Town of Cheektowaga, in the County of Erie and State of New York, and the qualified voters of each election district shall vote at the voting place listed opposite the election districts as designated, to wit:

PROPOSITION NO. 1
That the Town Board of the Town of Cheektowaga, within the County of Erie and State of New York, do hereby call a special town meeting which shall be held in said Town on the 29th day of April, 1968, at the following voting places, and the qualified voters of each election district shall vote at the voting place listed opposite the election districts as designated, to wit:

By order of the Town Board of the Town of Cheektowaga.
KENNETH T. HANLEY
Town Clerk

[illegible]

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for two weeks the first insertion being on the 10th day of April, 1958, and the last insertion being on the 17th day of April, 1958, and that not more than six days intervened between any two publications thereof.

Sworn to before me this _____ day of _____

APR 18 1958

Notary Public in and for Erie County.

Item No. 30 Councilman Kornecki presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a meeting held March 17th, 1958, adopted a resolution that the Town Board meet at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, 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 adopting a Bingo Licensing Law, which is to be known as Local Ordinance No. 25, and

WHEREAS, notice of said public hearing was duly published and posted as required by law, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, as is shown by the duly verified 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, did meet on the 7th day of April, 1958, at the Town Hall in the said Town of Cheektowaga, for the purpose of considering the advisability of adopting a Bingo Licensing Law to be known as Local Ordinance No. 25, 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 adopt a Bingo Licensing Law to be known as Local Ordinance No. 25 and provide as follows:

LEGAL NOTICE

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 7th day of April, 1958, at 2:30 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, this Town Board, at a meeting held March 17th, 1958, adopted a resolution that the Town Board meet at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, 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 adopting a Bingo Licensing Law, which is to be known as Local Ordinance No. 25, and

WHEREAS, notice of said public hearing was duly published and posted as required by law, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, as is shown by the duly verified 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, did meet on the 7th day of April, 1958, at the Town Hall in the said Town of Cheektowaga, for the purpose of considering the advisability of adopting a Bingo Licensing Law to be known as Local Ordinance No. 25, 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 adopt a Bingo Licensing Law to be known as Local Ordinance No. 25 and 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 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 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 cor-

poration, 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 licenses; 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 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, 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 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 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

law or ordinance to the extent that such person is not authorized by the Town Board 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 under the General Municipal Law or at any time 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.

BE IT RESOLVED, that a copy of this resolution, certified by the Town Clerk, shall be entered in the minutes and published at least one in the DEPEW HERALD & CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES, newspapers 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, subject to the Special Election, 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 Trojanoski and duly put to a vote, which resulted as follows:

Supervisor Holtz, voting aye
Councilman Neibert, voting aye
Councilman Wroblewski,

voting aye
Councilman Bystrek, 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 7th day of April, 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 7th day of April, 1958.

KENNETH T. HANLEY,
Clerk of the Town Board, Town of Cheektowaga, N.Y.
ap10

Item No. 30-Cont'd.

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 & CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES, newspapers 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, subject to the Special Election, 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 Trojanoski and duly put to a vote, which resulted as follows:

Supervisor Holts	Voting AYE
Councilman Heibert	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-

40
42

Item No. 30-Cont'd.

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks;
first publication APR 10 1958;
last publication APR 10 1958;
and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this APR 17 1958
day of _____, 19____

Eve J. Allis
Notary Public in and for Erie County, N. Y.

EVE J. ALLIS
NOTARY PUBLIC, STATE OF NEW YORK
Qualified in Erie County
My Commission Expires March 30, 1959
Registered No. 5029

LEGAL NOTICE

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 7th day of April, 1958, at 8:30 o'clock P.M., Eastern Standard Time, there were

PRESENT:

Benedict T. Holtz, Supervisor
Joseph A. Nelbert, Councilman
Frank T. Wroblewski, Councilman
Stanley R. Bystrak, Councilman
Joseph Trojanski, Councilman
Joseph Kordecki, Councilman
Alvin Fath, Councilman

ABSENT:

Councilman Kordecki presented the following resolution and moved its adoption:

WHEREAS, the Town Board, at a meeting held March 17th, 1958, adopted a resolution that the Town Board meet at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, on the 7th day of April, 1958 at 8:30 o'clock P.M., Eastern Standard Time, for the purpose of considering the advisability of adopting a Bingo Licensing Law, which is to be known as Local Ordinance No. 25, and

WHEREAS, notice of said public hearing was duly published and posted as required by law, not less than ten (10) 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, did meet on the 7th day of April, 1958, at the Town Hall in the said Town of Cheektowaga, for the purpose of considering the advisability of adopting a Bingo Licensing Law to be known as Local Ordinance No. 25, 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 adopt a Bingo Licensing Law to be known as Local Ordinance No. 25 and 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.

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 willful 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 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.

d. 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 such games of chance, shall not exceed 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 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.

a. 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 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, 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 whatsoever; 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 a 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 through-

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, of 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 lawfully conducting, or participating in the conduct of, a. 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 this ordinance or other law or ordinance to the extent that such conduct is lawfully 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 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 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

duct 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.

BE IT RESOLVED, that a copy of this resolution, certified by the Town Clerk, shall be entered in the minutes and published at least one in the DEFEW HERALD & CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES, newspapers 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, subject to the Special Election, 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 Trojanski and duly put to a vote, which resulted as follows:

Supervisor Holtz, voting aye
Councilman Nelbert, voting aye
Councilman Wroblewski, voting aye

Councilman Bystrak, voting aye
Councilman Trojanski, voting aye
Councilman Kordecki, 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 7th day of April, 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 7th day of April, 1958.

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

ap10

STATE OF NEW YORK
COUNTY OF ERIE

NOTICE

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said town of Cheektowaga, New York, on the 7th day of April, 1958, at 8 o'clock P.M., Eastern Standard Time, there were

PRESENT:

Edward T. Holz, Supervisor
Joseph A. Nelbert, Councilman
Paul T. Wroblewski, Councilman
Harley R. Bystrak, Councilman
Joseph Trojanowski, Councilman
Joseph Kofecki, Councilman
Maurice Rath, Councilman

ABSENT:

Councilman Kofecki presented the following resolution and moved its adoption:

RESOLVED, that the Town Board, at its meeting held March 17th, 1958, adopted a resolution that the Town Board meet at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, 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 adopting a Bingo Licensing Law, which is to be known as Local Ordinance No. 30.

WHEREAS, notice of said public hearing was duly published and posted as required by law, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, as is shown by the duly verified 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, did meet at the Town Hall in the said town of Cheektowaga, for the purpose of considering the advisability of adopting a Bingo Licensing Law to be known as Local Ordinance No. 30;

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 adopt a Bingo Licensing Law to be known as Local Ordinance No. 30 and 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.

When the Russians tossed out the Germans in a nickel game

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 willful 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 kind of game of chance intended to be held, operated and conducted by the applicant, and the place and the time or times when such game 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.

b. Each applicant for a license shall also file with the Town Clerk of the municipality a written statement of the net proceeds of such games of chance, which shall be paid to the applicant or to the person or 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 are not under any legal disability.

When the Russians tossed out the Germans in a nickel game

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 are not under any legal disability.

d. Each applicant for a license shall also file with the Town Clerk of the municipality a written statement of the net proceeds of such games of chance, which shall be paid to the applicant or to the person or 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 are not under any legal disability.

e. Each applicant for a license shall also file with the Town Clerk of the municipality a written statement of the net proceeds of such games of chance, which shall be paid to the applicant or to the person or 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 are not under any legal disability.

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.—

a. 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 purpose for which the entire net proceeds of such games of chance are to be used.

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 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.

b. 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.

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, which is a first-aid or rescue squad, in an through-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 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 of the governing body.

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, of 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 19. 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 of the governing body.

SECTION 20. Rental of premises.—

Any person who rents premises 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 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 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 con-

duct 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.

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 & CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES, newspapers 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, subject to the Special Election, 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 Trojanowski and duly put to a vote, which resulted as follows:

Supervisor Holz, voting aye
Councilman Nelbert, voting aye
Councilman Wroblewski, voting aye

Councilman Bystrak, voting aye
Councilman Trojanowski, voting aye
Councilman Kofecki, voting aye
Councilman Rath, voting aye

ABSENT: 0

That I, Kenneth J. Holz, Supervisor of the Town of Cheektowaga, Erie County, New York, do hereby certify that the foregoing was passed at a regular meeting of the Town Board of the Town of Cheektowaga, New York, on the 7th day of April, 1958, and is a correct and true copy of the same as the same appears in the minutes of the said meeting.

Whereof, I have set my hand and the seal of the Town of Cheektowaga, New York, this 7th day of April, 1958.

Kenneth J. Holz, Supervisor

Paul T. Wroblewski, Councilman

Harley R. Bystrak, Councilman

Joseph Trojanowski, Councilman

Joseph Kofecki, Councilman

Maurice Rath, Councilman

Notary Public for Erie County, New York

My commission expires the 1st day of April, 1959

Notary Public for Erie County, New York

My commission expires the 1st day of April, 1959

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Felix T. Wroblewski, Councilman
Stanley R. Bystrak, Councilman
Joseph Trojanoski, Councilman

Joseph Kornecki, Councilman
Absent None (0)

Councilman Kornecki presented the following resolution and moved its adoption:
WHEREAS, this Town Board, at a meeting held on March 17th, 1958, adopted a resolution that the Town Board meet at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, 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 adopting a Bingo Licensing Law, which is to be known as Local Ordinance No. 25, and

WHEREAS, notice of said public hearing was duly published and posted as required by law, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, as is shown by the duly verified 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, did meet on the 7th day of April, 1958, at the Town Hall in the said Town of Cheektowaga, for the purpose of considering the advisability of adopting a Bingo Licensing Law to be known as Local Ordinance No. 25, and 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 the state lottery law, and the provisions of the state lottery control commission.
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, upon 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 exceed 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 willful 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 and the specific kind of game of chance intended to be held, operated and conducted by the applicant, and the place or places where, the date or dates of the game, and the purpose for which such games of chance are intended to be held, operated and conducted by the applicant under the license applied for; the license 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 remuneration, salary, compensation, reward or recompense will be paid to any person for holding, operating or conducting such games of chance or for assisting therein, except as otherwise provided in this ordinance or in the General Municipal Law.
b. 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.
c. 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.
d. 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 persons or persons or corporation, stating his or its address and the amount of rent which shall be paid for such premises or if a corporation or its officers and each of its stockholders who hold ten per cent or more of its stock issued, character and have not been convicted of crime.

SECTION 6. Investigation; matters to be determined.
a. The Town Board of the Town of Cheektowaga, New York, shall make an investigation of the bona fide character of the 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, it shall issue a license therefor in accordance with this ordinance and the General Municipal Law and the rules and regulations governing the holding, operation and conduct thereof in the municipality; and 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 is issued for, are bona fide active members of the applicant and are persons of good moral character and have never been convicted of a crime.
b. The license issued for games of chance to be held, operated and conducted in accordance with this ordinance and the General Municipal Law, shall have and exercise control and supervision over the game of chance held, operated and conducted under such license, to the end that the same are fairly held, operated and conducted in accordance with the provisions of this ordinance and the General Municipal Law, and the rules and regulations promulgated by the control commission, the provisions of this ordinance and the General Municipal Law, and the rules and regulations governing the holding, operation and conduct thereof and that the proceeds thereof are to be disposed of in accordance with 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 game 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 such games of chance, held, operated and conducted under such 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 game of chance, and the applicant shall be required to pay to the municipality pursuant to this section during the preceding calendar month.

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 the presence of the applicant and the members of the applicant, 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 amendment could lawfully and properly have been included in the original license and upon payment of such additional license fee, if any, as may be payable if it had been so included.
b. 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 game of chance authorized to be held, operated and conducted thereunder, and the name and address of the licensee, and the names and addresses of the member or members of the licensee under whom such games of chance will be held, operated and conducted.

SECTION 8. Form and contents of license; display of license.
a. 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 game of chance authorized to be held, operated and conducted thereunder, and the name and address of the licensee, and the names and addresses of the member or members of the licensee under whom such games of chance will be held, operated and conducted.

SECTION 9. Control and supervision; suspension of license; inspection of premises.
The governing body of the municipality issuing any license under this ordinance and the General Municipal Law shall have and exercise control and supervision over the game of chance held, operated and conducted under such license, to the end that the same are fairly held, operated and conducted in accordance with the provisions of this ordinance and the General Municipal Law, and the rules and regulations governing the holding, operation and conduct thereof and that the proceeds thereof are to be disposed of in accordance with 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 game 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 such games of chance, held, operated and conducted under such 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 game of chance, and the applicant shall be required to pay to the municipality pursuant to this section during the preceding calendar month.

SECTION 10. Sunday conduct of games of chance.
Under this ordinance may be conducted on the first day of the week known as Sunday and designated as Sunday.

SECTION 11. Participation by persons under eighteen years of age.
No person under the age of eighteen years shall be permitted to participate in any game of chance held, operated and conducted under such license, and no person under the age of eighteen years shall be permitted to assist in the holding, operation and conduct of any such game of chance, except as otherwise provided in this ordinance and the General Municipal Law unless accompanied by an adult.

SECTION 12. Frequency of games; sale of alcoholic beverages.
a. No game of chance shall be held, operated or conducted under any license issued under this ordinance and the General Municipal Law on more than one day in any one calendar month, except in an outdoor area where alcoholic beverages are sold or served during the progress of the game or games.
b. Any license issued under this ordinance and the General Municipal Law shall be subject to the provisions of the state lottery law, and the provisions of the state lottery control commission, and 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.

SECTION 13. Persons operating and conducting games of chance; equipment; expenses; compensation.
a. 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 an authorized organization to which the license is issued, and no person shall assist in the holding, operation or conducting of any such game of chance, except as otherwise provided in this ordinance and the General Municipal Law, and 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.
b. Any license issued under this ordinance and the General Municipal Law shall be subject to the provisions of the state lottery law, and the provisions of the state lottery control commission, and 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.

SECTION 14. Statement of results; expenses, etc.
The licensee shall file with the Town Clerk of the municipality a statement of results of the game of chance held, operated and conducted under such license, and the licensee shall be required to pay to the municipality pursuant to this section during the preceding calendar month.

SECTION 15. Advertising games.
a. No game of chance shall be conducted under any license issued under this ordinance and the General Municipal Law on more than one day in any one calendar month, except in an outdoor area where alcoholic beverages are sold or served during the progress of the game or games.
b. Any license issued under this ordinance and the General Municipal Law shall be subject to the provisions of the state lottery law, and the provisions of the state lottery control commission, and 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.

SECTION 16. Statement of results; expenses, etc.
The licensee shall file with the Town Clerk of the municipality a statement of results of the game of chance held, operated and conducted under such license, and the licensee shall be required to pay to the municipality pursuant to this section during the preceding calendar month.

SECTION 17. Examination of books and records; examination of managers, etc.; disclosure of information.
The governing body of the municipality shall have and exercise control and supervision over the game of chance held, operated and conducted under such license, to the end that the same are fairly held, operated and conducted in accordance with the provisions of this ordinance and the General Municipal Law, and the rules and regulations governing the holding, operation and conduct thereof and that the proceeds thereof are to be disposed of in accordance with 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 game 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 such games of chance, held, operated and conducted under such 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 game of chance, and the applicant shall be required to pay to the municipality pursuant to this section during the preceding calendar month.

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, 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, 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 c. permitting the conduct upon any premises owned by him or it of any game of chance, shall be subject to prosecution 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 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 such false pretense or statement.

SECTION 20. 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.

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 of licenses, the collection and transmission of fees to the town clerk of the Town of Cheektowaga, New York, and delegates to the authority granted to it in relation to the conduct of investigations and the supervision of the operation of police of the Town of Cheektowaga, New York.

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LEGAL NOTICE

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, Cheektowaga, New York, on the 7th day of April, 1958, at 2:30 o'clock P. M., Eastern Standard Time, there were:

PRESENT: Holtz, Supervisor
Joseph A. Neibert, Councilman

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 exceed 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 willful 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 and the specific kind of game of chance intended to be held, operated and conducted by the applicant, and the place or places where, the date or dates of the game, and the purpose for which such games of chance are intended to be held, operated and conducted by the applicant under the license applied for; the license 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 remuneration, salary, compensation, reward or recompense will be paid to any person for holding, operating or conducting such games of chance or for assisting therein, except as otherwise provided in this ordinance or in the General Municipal Law.
b. 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.
c. 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.
d. 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 persons or persons or corporation, stating his or its address and the amount of rent which shall be paid for such premises or if a corporation or its officers and each of its stockholders who hold ten per cent or more of its stock issued, character and have not been convicted of crime.

cer Drive

cer Research
ey Helps
County

LANCASTER CHORUS OFFICERS. From left to right, Mrs. Schermerhorn, director; Floyd Kruschko, secretary; John A. vice president; Roy Restall, president; Helen Peters, secretary; Schermerhorn, director; Mrs. Janice MacDavid, president; Charles F. pianist.

Planning your summer vacation? Even if you aren't, you can dream about far away places at the Lancaster Chorus Spring Concert May 4 at 8 o'clock at the Lancaster Central High School. The men will give you the wondrous Deep Purple. Romance, adventure and variety the program which the

with a peppy peddler song, and then to Germany. Joining forces, the chorus will wing you on musical notes to Vienna, France, Israel, back to England and then to our own shores as the voices blend on the very familiar

RICHARD G. BENNETT

ing duly sworn, deposes and says that he is the
PUBLISHER of the

Herald and News

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 12th day of April, 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
APR 18 1958

Walter J. Ward
Notary Public in and for Erie County

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

WHEREAS, the Town Board has adopted an ordinance known as the Cheektowaga Bingo Licensing Law and said ordinance is subject to a mandatory election to be held among the qualified electors of the Town of Cheektowaga and will take effect only upon the adoption of a proposition to approve said ordinance by a majority of the qualified electors of the Town of Cheektowaga voting at an election held pursuant to the provisions of Article 6 of the Town Law of the State of New York, and the Town Board desires the submission of such a proposition to the qualified electors.

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

SECTION 1. A special election shall be held in the Town of Cheektowaga on the 29th day of April, 1958, for the purpose of submitting to the qualified electors of said Town, the following propositions:

SHALL THE QUALIFIED ELECTORS OF THE TOWN OF CHEEKTOWAGA, COUNTY OF ERIE, STATE OF NEW YORK, APPROVE THE BINGO LICENSING LAW ADOPTED BY THE TOWN BOARD OF SAID TOWN ON THE 7TH DAY OF APRIL, 1958, WHICH ORDINANCE AUTHORIZES AUTHORIZED ORGANIZATIONS TO CONDUCT BINGO GAMES WITHIN SAID TOWN, SUBJECT TO THE PROVISIONS OF SAID ORDINANCE AND ARTICLE 14-G OF THE GENERAL MUNICIPAL LAW.

SECTION 2. Said special election shall be held at the following designated polling places, at which polling places the qualified electors from the following designated election districts shall vote on said proposition:

<u>POLLING PLACES</u>	<u>ELECTION DISTRICTS</u>
Cleveland Hill Fire Hall	13, 14, 15, 16, 17, 19, 20, 21.
Pine Hill Fire Hall	31, 32, 33, 34, 35, 36.
U-Crest Fire Hall	5, 26, 37, 38, 39.
School No. 10, Alexander St.	40, 41, 42, 43, 44, 45.
Sloan Village Hall	46, 47, 48, 49, 50.
Theodore Roosevelt School	51, 52, 54.
Cheektowaga Town Hall	1, 2, 4, 53.
Cayuga Fire Hall, Depew	3, 6, 7.
Doyle Fire Hall No. 2, Willolawn and Griswold Street	55, 56, 57.
North Hill Elementary School	8, 9, 10, 11, 12, 23, 24, 25.
Tiorunda School	18, 22, 27, 28, 29, 30.

The polls for said election shall open at the hour of one o'clock P.M., Eastern Daylight Saving Time and close at the hour of nine o'clock P.M., Eastern Daylight Saving Time. The voting upon such proposition shall be taken by ballot in the manner provided by law.

SECTION 3. The Town Clerk is hereby authorized and directed to give notice of such special election by the publication of a certified copy of this resolution in the DEPEW HERALD & CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES, newspapers published in the Town of Cheektowaga and having a general circulation in said Town, which notice shall be published at least ten (10) days prior to the date of such election. That the Town Clerk is hereby authorized to post or cause to be posted in five (5) conspicuous places in said Town of Cheektowaga, certified copies of such notice at least ten (10) days prior to such election.

The members of the Town Board shall select from the list of election inspectors and ballot clerks previously designated by the said Town Board for general election purposes, pursuant to the election law, not less than two nor more than four persons to act as election inspectors and ballot clerks for each voting place in which the special election shall be held.

Item No. 31-Cont'd.

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

Supervisor Holts	Voting AYE
Councilman Weibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

LEGAL NOTICE
Town of Cheektowaga
County of Erie
State of New York

NOTICE OF SPECIAL ELECTION

PLEASE TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York, has called a special town election to be held at said town on the 29th day of April, 1958, and that there will be submitted to the qualified electors of said town, at said election, the following proposition:

SHALL THE QUALIFIED ELECTORS OF THE TOWN OF CHEEKTOWAGA, COUNTY OF ERIE, STATE OF NEW YORK, APPROVE THE BINGO LICENSING LAW ADOPTED BY THE TOWN BOARD OF SAID TOWN ON THE 7TH DAY OF APRIL, 1958, WHICH ORDINANCE AUTHORIZES AUTHORIZED ORGANIZATIONS TO CONDUCT BINGO GAMES WITHIN SAID TOWN, SUBJECT TO THE PROVISIONS OF SAID ORDINANCE AND ARTICLE 14-G OF THE GENERAL MUNICIPAL LAW.

Said election will be held at the following designated polling places and the qualified electors from the following designated election districts will vote at said designated places:

POLLING PLACESELECTION DISTRICTS

Cleveland Hill Fire Hall	13, 14, 15, 16, 17, 19, 20, 21.
Pine Hill Fire Hall	31, 32, 33, 34, 35, 36.
U-Crest Fire Hall	5, 26, 37, 38, 39.
School No. 10, Alexander St.	40, 41, 42, 43, 44, 45.
Sloan Village Hall	46, 47, 48, 49, 50.
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North Hill Elementary School	8, 9, 10, 11, 12, 23, 24, 25.
Tiorunda School	18, 22, 27, 28, 29, 30.

The polls for said election shall open at the hour of one o'clock P.M., Eastern Daylight Saving Time and close at the hour of nine o'clock P.M., Eastern Daylight Saving Time.

That the vote upon such proposition will be taken by ballot in the manner provided by law.

No person shall be entitled to vote at such election unless he or she is a qualified elector of the Town of Cheektowaga, New York.

Item No. 31-Cont'd.

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

Benedict T. Molts, Supervisor
Joseph A. Weibert, Councilman
Felix T. Wroblewski, Councilman
Stanley R. Bystak, Councilman
Joseph Trojanoski, Councilman
Joseph Kornecki, Councilman
Alancin Fath, Councilman

Dated: April 7, 1958

KENNETH T. HANLEY,
Town Clerk

Posted as follows on the 16th day of April, 1958:

- 1 - Town Hall Bulletin Board;
- 2 - U-Crest Fire Hall, Evergreen Street and Clover Place;
- 3 - Pine Hill Fire Hall, Genesee Street and Normandy Avenue;
- 4 - Cleveland Hill Fire Hall, Cleveland Drive and Merrymont Road;
- 5 - Rescue Fire Hall - Pine Ridge Road;
- 6 - Cayuga Fire Hall, Broadway and River Street, Depew;
- 7 - Doyle Fire Hall No. 2, Willowlawn and Griswold Street;
- 8 - Sloan Village Hall, Halstead Avenue, Sloan;
- 9 - Doyle Fire Hall No. 1, William and Alaska Street;
- 10 - South Line Fire Hall, French Road.

Hereto attached is a copy of the Notice published in
the DEPEW HERALD-CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES:

11
40

Item No. 31-Cont'd.

AFFIDAVIT

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 two weeks;
first publication APR 10 1958;
last publication APR 17 1958;
and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

day of APR 17 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 59
Registered No. 5029

Item No. 31-Cont'd.

AFFIDAVIT

Town of Chesham

NOTICE OF SPECIAL ELECTION
PLEASE TAKE NOTICE that the Town Board of the Town of Chesham, Cook County, Illinois, has called a special town election to be held at said town on the 20th day of April, 1933, and that there will be submitted to the qualified electors of said town, at said election, the following propositions:

SHALL THE QUALIFIED ELECTORS OF THE TOWN OF CHESHAM, COUNTY OF COOK, STATE OF ILLINOIS, APPROVE AN AMENDED CHARTER NOW SUBMITTED BY THE TOWN BOARD OF SAID TOWN ON THE 10TH OF APRIL, 1933, WHICH CHARTER IS AS FOLLOWS:

Article I
Section 1. The name of this town shall be Chesham.
Section 2. The town shall be a corporation of the State of Illinois.
Section 3. The town shall have the right to acquire, hold, sell, lease, convey, and dispose of real and personal property.
Section 4. The town shall have the right to borrow money and to issue bonds.
Section 5. The town shall have the right to enter into contracts and to sue and be sued.
Section 6. The town shall have the right to make and alter its charter.
Section 7. The town shall have the right to make and alter its ordinances.
Section 8. The town shall have the right to make and alter its regulations.
Section 9. The town shall have the right to make and alter its rules.
Section 10. The town shall have the right to make and alter its bylaws.

Article II
Section 1. The town shall have the right to hold elections on the first Monday of the month of April, at 7 o'clock P.M., unless otherwise ordered by the town board.
Section 2. The town shall have the right to hold elections on the first Monday of the month of April, at 7 o'clock P.M., unless otherwise ordered by the town board.

That the said town board has presented to the electors of said town a ballot in the manner provided by law.
No person shall be entitled to vote at said election unless he or she is a qualified elector of the Town of Chesham.

By Order of the Town Board of the Town of Chesham, Cook County, Illinois:
Benjamin J. [Name]
Joseph J. [Name]
Felix T. [Name]
Stanley J. [Name]
Joseph J. [Name]
Joseph J. [Name]
Alancie P. [Name]

(Dated: April 1, 1933)

KENNETH T. HANLEY,
Town Clerk

Item No. 31-Cont'd.

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE

...the use of
extra-curricular delights the
up by these luxury-happy
leaders! A tour of the school
reveal many non-classroom p
(Continued on page 7)

King Send Wagons

go to the polls Tuesday after
back to 9 to vote on the ques
can legally be played in th
will be asked if they want
build a new building to house

All qualified voters (over 21 years
old) to be registered as to a ques
tion (yes or no) on Tuesday
the King question. However, on
previous years who are also the
owners of property which has been
assessed for this year's taxes can
vote on the highway proposition.
There has been no open road
since the King roadaction, a
which it has originally been re
solved there was some oppositio
by the Cheektowaga High
school association. On the other
hand the volunteer fire company
has been most vocal in their
desire to see the highway built.

RICHARD G. BERNETT

being duly sworn, deposes and says that he is the

PUBLISHER of the

Depew Cheektowaga
Herald and News

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 24th day of April, 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

APR 28 1958, 19____

Kenneth J. Hardy

Notary Public in and for Erie County

Item No. 31-Cont'd.

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE

NOTICE OF SPECIAL ELECTION
TOWN OF CHEEKTOWAGA
County of Erie
New York

G. BENNETT

Whereas the Town Board of the Town of Cheektowaga, County of Erie, New York, has called a special town election to be held on the 25th day of April, 1958, and that there will be present at the qualified electors of said town, at said election, the following proposition:

That the qualified electors of the Town of Cheektowaga, County of Erie, New York, approve the Bingo Licensing Law adopted by the Board of said town on the 7th day of April, 1958, which ordinance authorizes authorized organizations to conduct bingo games and subject to the provisions of said ordinance and Article 13 of the Standard Code of Laws.

The election will be held at the following designated polling places and qualified electors from the following designated election districts vote at said designated places:

	Election District
1st Fire Hall	12, 14, 15, 16, 17, 18, 20, 21
2nd Fire Hall	21, 22, 23, 24, 25, 26
3rd Fire Hall	5, 26, 27, 28, 29
4th Fire Hall	40, 41, 42, 43, 44, 45
5th Fire Hall	46, 47, 48, 49, 50
6th Fire Hall	51, 52, 53
7th Fire Hall	1, 2, 3, 4, 53
8th Fire Hall	3, 6, 7
9th Fire Hall	35, 36, 37
10th Fire Hall	8, 9, 10, 11, 12, 22, 24, 25
11th Fire Hall	18, 22, 27, 28, 29, 30

The said election shall open at the hour of one o'clock P.M., on the day of the election and close at the hour of nine o'clock P.M., on the day of the election.

The vote upon such proposition will be taken by ballot in the manner provided by law.

Any person shall be entitled to vote at such election unless he or she is a qualified elector of the Town of Cheektowaga, New York.

Witness my hand and the seal of the Town Board of the Town of Cheektowaga, New York, this 7th day of April, 1958.

Benedict T. Hales, Supervisor
Joseph A. Halsey, Councilman
Felix T. Wroblewski, Councilman
Stanley E. Dystar, Councilman
Joseph Trojanowski, Councilman
Joseph Kornecki, Councilman
Alvin Fath, Councilman

April 7, 1958

KENNETH T. HANLEY,
Town Clerk

Item No. 31-Cont'd.

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIETOWN CLERK
Town of Cheektowaga
County of Erie
New York
NOTICE OF SPECIAL ELECTION

KENNETT

and says that he is the

The Town Board of the Town of Cheektowaga, New York, has called a special town election to be held on the 25th day of April, 1958, and that there will be present at the qualified electors of said town, at said election, the following propositions:

The qualified electors of the Town of Cheektowaga, County of Erie, New York, approve the Bingo Licensing Law adopted by the Town Board of said town on the 7th day of April, 1958, which ordinance authorizes authorized organizations to conduct bingo games and also to issue licenses to the operators of said ordinance and Article 10 of the General Municipal Law.

The election will be held at the following designated polling places and the qualified electors from the following designated election districts will vote at said designated places:

	Election Districts
High School Hall	12, 14, 15, 16, 17, 19, 20, 21
High School Hall	31, 32, 33, 34, 35, 36
High School Hall	5, 26, 37, 38, 39
High School Hall	40, 41, 42, 43, 44, 45
High School Hall	46, 47, 48, 49, 50
High School Hall	51, 52, 54
High School Hall	1, 2, 4, 53
High School Hall	3, 6, 7
High School Hall	55, 56, 57
High School Hall	8, 9, 10, 11, 12, 22, 24, 25
High School Hall	18, 23, 27, 28, 29, 30

The said election shall open at the hour of one o'clock P.M., and shall close at the hour of nine o'clock P.M., on the day of the election.

The vote upon each proposition will be taken by ballot in the manner provided by law.

Any person shall be entitled to vote at such election unless he or she is a qualified elector of the Town of Cheektowaga, New York.

The members of the Town Board of the Town of Cheektowaga, New York, are:

Benedict T. Hottel, Supervisor
Joseph A. Neihart, Councilman
Felix T. Wroblewski, Councilman
Stanley M. Bystrek, Councilman
Joseph Trojanowski, Councilman
Joseph Kornecki, Councilman
Alvin Fath, Councilman

April 7, 1958

KENNETH T. HANLEY,
Town Clerk

Item No. 32 This being the time and the place advertised for a public hearing 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 case. 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.

The Town Clerk presented proof that the Notice of Hearing has been published and posted as required by law.

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

Frank J. Stahl, Union Representative, was granted the floor and spoke in favor of Item No. 2 but was against Item No. 1.

Dr. Louis Vendetti, Town Health Officer, spoke in favor of the proposed amendment.

The chairman ordered the hearing closed and the decision was reserved. 46

Item No. 33 Councilman Kornecki moved, seconded by Councilman Bystak, 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. 6
35

Warrant No. 731 to Warrant No. 895, inclusive, drawn on the Supervisor.

AYES: -7-

NOES: -0-

ABSENT: -0-

Item No. 34 Councilman Wroblewski moved, seconded by Councilman Treganoski, that the Town Clerk be authorized and directed to issue building permits on all applications approved by the Petitions Committee and the Building Inspector, on March 24, March 31, and April 5, 1958.

DATED: 4-7-58

AYES: -7-

NOES: -0-

ABSENT: -0-

35
15

Item No. 35 Moved by Councilman Weibert, seconded by Councilman Bystrak, to adjourn.

SEAL

KENNETH T. HANLEY,
Town Clerk

Kenneth T. Hanley

MEETING NO. 11Cheektowaga, New York
April 21, 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 21st day of April, 1958, at 7:30 o'clock P.M., E.S.T., there were:

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

ABSENT:	Benedict T. Holts	Supervisor
	Joseph Kornecki	Councilman

Also present were: Town Clerk Hanley; Town Attorney Delahunt, and Town Engineer Kamm.

Due to the absence of Supervisor Holts, Councilman Wroblewski was designated to act as Chairman of 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 the Assessors for a property check the petition for the improvement of Duchess Court by the installation of street lighting installation.

17
27

Item No. 4 Referred to the Town Board communication from the Erie County Council Department of New York Veterans of Foreign Wars of the U.S., relating to Leroy F. Reese, Adjutant, Erie County Council, who is an employee of the Town of Cheektowaga, requesting permission to attend various functions, without loss of pay from the Town.

9

Item No. 5 Ordered received and filed the report of the Town Clerk of the April 29, 1958, ~~Referendum~~ for the legalization of Bingo and for the financing and construction of a new Town Highway Garage.

Herto attached is a summary of the vote of said

Referendum:

*		*
*	PLEASE DISREGARD ITEM NO. 5 AND ITEM NO. 5 -CONTD, REPORT	*
*	SHOULD BE MADE A PART OF MAY 5, 1958 TOWN BOARD MINUTES	*
*	AND IS SHOWN AS ITEM NO. 21, MAY 5, 1958, TOWN BOARD MINUTES	*
*		*

Item No. 5-Cont'd.

(PLEASE DISREGARD-SEE MAY 5, 1958 TOWN BOARD MINUTES, ITEM NO. 21)

4-29-58

POLLING PLACES

BURRO

HIGHWAY GARAGE

PROPOSITION NO. 2

	YES	NO	YES	NO	YES	NO	YES	NO
1 CLEVELAND HILL FIRE HALL	219	61	119	✓	102	✓	108	86 ✓
2 PINE HILL FIRE HALL	369	40	159	✓	83	✓	150	86 ✓
3 U-CREST FIRE HALL	298	29	167	✓	164	✓	132	80 ✓
4 SCHOOL NO. 10, ALEXANDER ST.	430	31	140	✓	79	✓	108	105 ✓
5 SLOAN VILLAGE HALL	358	33	73	✓	162	✓	75	141 ✓
6 THEODORE ROOSEVELT SCHOOL	241	29	137	✓	77	✓	115	74 ✓
7 CHESTNUT HILL TOWN HALL	128	19	73	✓	39	✓	68	38 ✓
8 CAYUGA FIRE HALL, DEPEW	72	16	32	✓	33	✓	35	33 ✓
9 DOYLE FIRE HALL NO. 2	204	21	97	✓	55	✓	106	59 ✓
10 NORTH HILL ELEMENTARY SCHOOL	279	87	168	✓	119	✓	172	123 ✓
11 TIONANDA	235	55	113	✓	80	✓	112	94 ✓
TOTAL	2833	421	1273	✓	945	✓	1201	919 ✓

YES Proposition No. 1 NO

YES Proposition No. 1 NO

YES Proposition No. 2 NO

Shall the qualified electors of the Town of Cheektowaga, County of Erie, State of New York, approve the Local Finance Law adopted by the Town Board of said Town on the 27th day of April, 1958, which resolution authorizes the issuance of \$100,000 Serial Bonds and \$9,000 Capital Notes of said Town pursuant to the Local Finance Law of New York to finance the construction of a building to be used by the Town Superintendent of Highways as a place for the housing and storage of machinery, tools, implements and equipment of the Town?

Shall the qualified electors of the Town of Cheektowaga, County of Erie, State of New York, approve the Local Finance Law adopted by the Town Board of said Town on the 27th day of April, 1958, which resolution authorizes the issuance of \$100,000 Serial Bonds and \$9,000 Capital Notes of said Town pursuant to the Local Finance Law of New York to finance the construction of a building to be used by the Town Superintendent of Highways as a place for the housing and storage of machinery, tools, implements and equipment of the Town?

Shall the Town Board of the Town of Cheektowaga authorize the Town Superintendent of Highways to erect a building for the purpose of housing and storing machinery, tools, implements and equipment owned by the Town, on the parcel of land now owned by the Town located on Union Road near Broadway and acquire therefor the furnishings and equipment suitable for the use of said building for such purpose, and to expend for said purpose a sum not exceeding \$175,000?

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

WHEREAS, Change Order No. 1 has been submitted, pursuant to the contract for the cleaning of the Primary Digesters in Sewage Treatment Plant No. 5, as follows:

Change Order No. 1

In the amount of \$2,335.58 to replace split sections in heating coil pipes; Replace section of Gas Domes and weld new plates in Floating Roof Deck; Wire brush and paint steel of Floating Roof Deck; Paint interior of Digester No. 2.

and
WHEREAS, the same has been approved by 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 Fath and duly put to a vote, which resulted as follows:

Councilman Helbert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanskol	Voting AYE
Councilman Fath	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -2-

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

WHEREAS, emergency sewer repairs were required on Allendale Road in Sanitary Sewer District No. 5, which repairs were ordered by the Town Engineer, and

WHEREAS, the cost of the work and materials amounted to \$984.38, and

WHEREAS, emergency sewer repairs were required in Sanitary Sewer District No. 5, which repairs were ordered by the Town Engineer, and

WHEREAS, the cost of the work and materials amounted to \$1,392.48.

BE IT RESOLVED, that the vouchers of Straco, Inc., in the amounts of \$984.38 and \$1,392.48, to do the work and furnish the materials be approved and ordered paid.

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

Councilman Helbert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanskol	Voting AYE
Councilman Fath	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -2-

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

WHEREAS, emergency sewer repairs were required on South Colby Street in Sanitary Sewer District No. 3, which repairs were ordered by the Town Engineer, and

WHEREAS, the cost of the work and materials amounted to \$594.56.

BE IT RESOLVED, that the voucher of Straco, Inc., in the amount of \$594.56, to do the work and furnish the materials, be approved and ordered paid.

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

Councilman Fath	Voting AYE
Councilman Helbert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanskol	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -2-

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

WHEREAS, a written petition was duly filed with this Board for the improvement of both sides of Warsaw Street, from William Street north approximately 1030 feet, to the south property line of the Forest Materials, Inc. property, by the construction of curbs, together with the installation of necessary underground drains; (Said highway is now paved for its entire length), and

WHEREAS, it duly appears that such petition has been signed by owners of real property fronting and abutting on both sides of said portion of said public highway to be improved as above described, owning at least one-half of the entire frontage or bounds on both sides of said portion of the highway to be so improved, and signed by resident owners owning not less than one-half of the frontage owned by resident owners residing along said portion of said highway to be so improved, and

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

WHEREAS, the maximum amount proposed to be expended for the improvement of said highway as stated in the petition is the sum of Twelve Thousand Two Hundred Dollars (\$12,200.00),

NOW, THEREFORE,

Pursuant to the provisions of Section 200 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 5th day of May, 1958, at 2:30 o'clock P.M., Eastern Daylight Saving Time, for the purpose of considering the said petition and hearing all persons interested in the subject thereof concerning the same, and

BE IT RESOLVED, 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 Town of Cheektowaga, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that the Town Clerk post conspicuously or cause to be posted conspicuously, certified copies of this resolution and order in five (5) public places along both sides of said portion of the highway to be improved, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing.

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

Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Fath	Voting AYE
Councilman Weibert	Voting AYE
Councilman Trojanoski	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -2-

Posted as follows on the 24th day of April, 1958:

- 1 - Telephone Pole No. 4 on Warsaw Street;
- 2 - Telephone Pole No. 2 on Warsaw Street;
- 3 - Telephone Pole No. 34 on Warsaw Street;
- 4 - Telephone Pole No. 58 on Warsaw Street;
- 5 - Telephone Pole No. 74 on Warsaw Street.

Hereto attached is a copy of the Notice published in the DEPEW HERALD-CHEEKTOWAGA NEWS:

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Item No. 9-Cont'd.

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF CHECTOWAGA

JOHN T. HANLEY, Clerk of the Town of Chectowaga, Erie County, New York, do hereby certify that a regular meeting of the Board of the Town of Chectowaga, a town located in the County of Erie, State of New York, was duly held on April 21, 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 said minutes appear at page 11, inclusive, of said book.

I have compared the attached extract with said minutes so recorded and said extract is a true and correct copy of the minutes of the Board of the Town of Chectowaga as said minutes relate to matters referred to in said extract.

Said minutes correctly state the time when said meeting was held, 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 21 day of April, 1958.

JOHN T. HANLEY,
Town Clerk

Subscribed and sworn to before me this 21 day of April, 1958, at Chectowaga, Erie County, New York.

Notary Public in and for Erie County

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Chectowaga
Herald and News

a public newspaper published at Depew, Town of Chectowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 24th day of April, 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

APR 28 1958

19____

John T. Hanley

Notary Public in and for Erie County

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE

REPORT FROM MEMBERS
OF THE BOARD

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 of Cheektowaga, on the 21st day of April, 1958, at 7:30 o'clock P.M., the following Standard Time, there

RICHARD G. BENNETT

~~being duly sworn, deposes and says that he is the~~

PRESENT:
 T. Wroblewski, Councilman
 B. Bystrak, Councilman
 Fath, Councilman
 A. Neibert, Councilman
 Trojanoski, Councilman

T. Holtz, Supervisor
 Joseph Kornecki, Councilman
 Councilman Bystrak presented
 the following resolution and moved

MEAS, a written petition filed with this Board for improvement of both sides of Main Street, from William Street, north approximately 1030 feet to the south property line of Forest Materials, Inc., proposed by the construction of curbs, gutters with the installation of storm underground drains; the alleyway is now paved for its

that the said easement is duly appears that the said easement has been signed by the said owner of real property fronting the said highway on both sides of said highway and on said public highway to the extent as above described, and that at least one-half of the entire frontage or bounds on both sides of said portion of the highway have been imposed, and signed by the said owners owning not less than one-half of the frontage owned by the said resident owners residing on both sides of said highway.

...such petition was acknowledged or proved by all persons in the same manner as to be recorded, and

STAS, the maximum proposed to be expended for improvement of said highway in the petition is the sum of Twenty Two Hundred and Sixty Dollars.

to the provisions of the Town Law of the State, it is hereby ordered, that the Town Board of Westport, Erie County, shall meet at a special session of Broadway Hotel in West Town on Tuesday, May 24th, at 2:30 P. M., Northern Daylight Saving Time, for the purpose of considering the application and hearing persons interested in the same concerning the

RECORDED that the
... the said ... hereby is
... and ... to ...
... of ... and ...
... the ...

...circulation in the Town of
...more than twenty (20) days
...the date of the hearing.

the above cases must con-
sist or appear to be posted
properly, certified copies of
the same will appear in five
days after the date of the
posting of the Highway in
the case of the Highway (10)

[illegible]

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

County of Erie
I HEREBY CERTIFY
that the above is a true and correct
copy of the original as the same
is on file in the office of the
County Clerk of Erie
this 10th day of June 1906
at Erie, Pa.
County Clerk

Town Board of the Town of Cheshawaga, a town located in the County of Erie, State of New York was duly held on April 21, 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 #A 91, 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.

(seal) OF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 21 day of April, 1956.

ap24

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

WHEREAS, this Town Board, at a meeting held March 17th, 1958, adopted a resolution that the Town Board meet at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, 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, and

WHEREAS, notice of said public hearing was duly published and posted as required by law, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, as is shown by the duly verified affidavits of publications 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 7th day of April, 1958, at the Town Hall in the Town of Cheektowaga, New York, for the purpose of considering the advisability of amending the Sick Leave Ordinance, and

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

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:

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.

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 Weibert and duly put to a vote, which resulted as follows:

Supervisor Holts	Absent
Councilman Weibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Path	Voting AYE

AYES: -5-

NOES: -0-

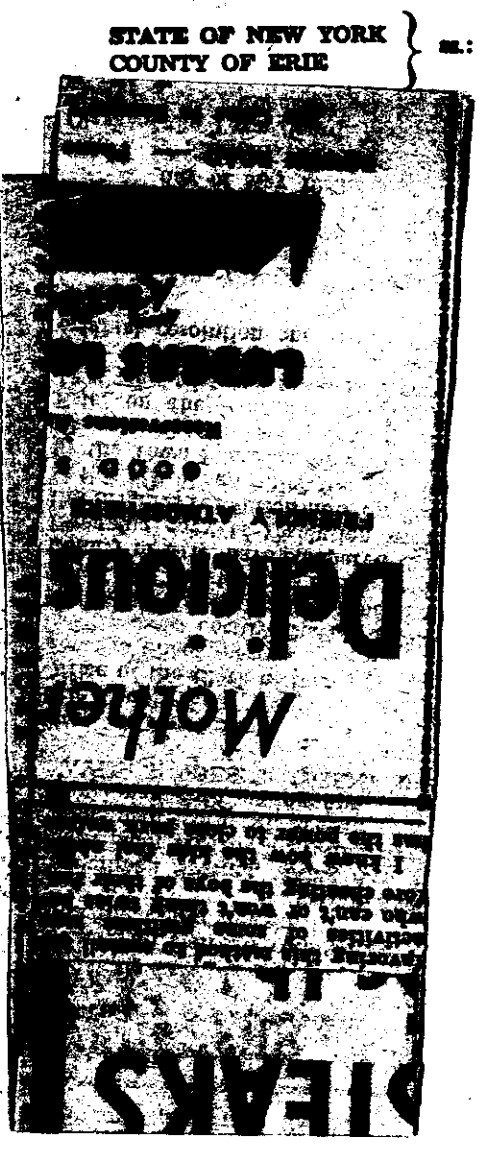
ABSENT: -2-

Item No. 10-Cont'd.

Posted as follows on the 8th day of May, 1958:

1 - Town Hall Bulletin Board.

Hereto attached is a copy of the Notice published in the DEPEW HERALD-CHEEKTOWAGA NEWS:



RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga
Herald and News

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 8th day of May, 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

MAY 12 1958

19.....

[Signature]

Notary Public in and for Erie County

Item No. 10-Cont'd.

Posted as follows on the 8th day of May, 1958:

1 - Town Hall Bulletin Board.

Hereto attached is a copy of the Notice published in the DEPEW HERALD-CHEEKTOWAGA NEWS:

STATE OF NEW YORK

ss.:

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.

That the Ordinance shall take effect on the day after such publication and posting, and the Ordinance shall be in effect from the date of its passage until a portion of the same shall be repealed by the Town Board.

That the Ordinance shall take effect on the day after such publication and posting, and the Ordinance shall be in effect from the date of its passage until a portion of the same shall be repealed by the Town Board.

That the Ordinance shall take effect on the day after such publication and posting, and the Ordinance shall be in effect from the date of its passage until a portion of the same shall be repealed by the Town Board.

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That the Ordinance shall take effect on the day after such publication and posting, and the Ordinance shall be in effect from the date of its passage until a portion of the same shall be repealed by the Town Board.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

DEPUTY CLERK

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 5th day of May 1958.

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

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 construct a foot bridge over Scajaquada Creek at the foot of Alexander Avenue, together with approach sidewalk and other appurtenant work in accordance with the contract documents therefor, and

WHEREAS, this Town Board has heretofore directed Hussbauer, Clarke and Velsy, 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 Engineer and having been carefully examined by the Town Board and approved

BE IT RESOLVED, that sealed proposals be invited for the furnishing of labor and materials necessary for the doing of the work for the construction of said improvement in 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 5th day of May, 1958, at 2:30 o'clock P.M., E.D.S.T., and be it further

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

NOTICE TO CONTRACTORS

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of Cheektowaga, Erie County, New York, sealed proposals will be received and considered by said Town Board on the Fifth day of May, 1958 at 2:30 p.m. EDT, in the Town Hall, Broadway and Union Road, Cheektowaga, New York, for furnishing all materials, tools, equipment, and together with all labor for the construction of a foot bridge over Scajaquada Creek at the foot of Alexander Avenue together with approach sidewalk and other appurtenant work in accordance with the contract documents therefor, including plans, specifications, instructions to bidders, etc., prepared by Hussbauer, Clarke & Velsy, Consulting Engineers for 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 and 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 Hussbauer, Clarke & Velsy, Consulting Engineers, 327 Franklin Street, Buffalo 2, New York. One copy of said proposed documents may be obtained upon payment of \$30.00. Any bidder, upon returning said 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 of the deposit.

Item No. 11-Cont'd.

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 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.

Dated: April 21, 1958
Published: April 24, 1958

KENNETH T. HANLEY
Town Clerk

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

Councilman Heibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Fath	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -2-

Hereto attached is a copy of the Notice
published in the DEPEW HERALD-CHEEKTOWAGA NEWS:

Item No. 11-Cont'd

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE

ss.:

Richard G. Bennett, a resident of the Town of Cheektowaga, Erie County, New York, sealed papers were received and considered by the Town Board on the 5th day of May, 1958, at 2:30 p.m. EDT, in the Town Hall, Broadway and Union Street, Cheektowaga, New York, and furnishing all materials, tools, equipment, and together with all other for the construction of a foot bridge over Scajagunda Creek at the foot of Alexander Road, and

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew

Cheektowaga

Herald and News

newspaper published at Depew, Town of Cheektowaga,

Erie County, New York, that notice of which the

printed slip taken from said newspaper, is a copy,

inserted and published therein once a week for

one week, the first insertion being on the

4th day of April, 1958, and

last insertion being on the day of

1958, and that not

more than six days intervened between any two publi-

cations thereof

Richard G. Bennett

Sworn to before me this day of

APR 28 1958

19

[Signature]

Notary Public in and for Erie County

Item No. 11-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 Town of Cheektowaga, New York, and is duly sworn and considered by the Town Board on the 5th day of May, 1952, at 2:30 p.m. EDT, in the Town Hall, Broadway and Union Street, Cheektowaga, New York, for the purpose of publishing, costs, expenses and charges with all other for the construction of a foot bridge over Scatoguada Creek at the foot of Alexander Avenue together with approach sidewalk and other improvement work in accordance with the contract documents, including plans, specifications, instructions to bidders, etc., prepared by Numbanner, Clarke & Votey, Consulting Engineers of New York, 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 Street, Cheektowaga, New York, and 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 obtained at the office of Numbanner, Clarke & Votey, Consulting Engineers, 327 Franklin Street, New York, New York. One copy of the proposed documents may be obtained upon payment of \$30.00. Upon returning said contract documents in full within twenty (20) days following the taking of bids, the full amount of the deposit; non-bidders will be refunded only one-half of the deposit.

The Town of Cheektowaga, Erie County, New York, reserves the right to reject any or all bids or to accept any bid or to alter the terms of any bid or to award the contract 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 penal sum equal to five per centum (5%) of the estimated expense of the improvement, conditioned that if his proposal is accepted, he will execute a contract for the improvement and will execute and maintain the same in accordance with the terms of the contract.

Any proposal may be withdrawn at any time prior to the scheduled time of the opening of bids.

WITNESSES my hand and seal this 21st day of May, 1952.

EDWARD T. HANLEY,
Town Clerk

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

RESOLVED, that the Niagara Mohawk Power Corporation be authorized to equip the nine (9) 1348 lighting standards to be installed in Walton Drive with 4000 Lumen lamps.

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

Councilman Fath	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Weibert	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -2-

27

Item No. 13 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
Delmar Avenue	Cleveland Drive	Wilshire Rd.

TYPE OF STREET LIGHTING INSTALLATION

5 Y 19 Ornamental Standards-Under Ground Conduit-4000 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.

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
Delmar Avenue	Cleveland Drive	Wilshire Rd.

TYPE OF STREET LIGHTING INSTALLATION

5 Y 19 Ornamental 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. 13-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. Trojanoski and duly put to a vote, which resulted as follows:

Councilman Fath	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -2-

17
27

Item No. 14 Moved by Councilman Bystrak, seconded by Councilman Trojanoski, that the Supervisor be authorized and directed to purchase Five (5) Y 19 Street Lighting Standards to be used in Delmar Avenue Special Street Lighting District.

AYES: -5-

NOES: -0-

ABSENT: -2-

27

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

WHEREAS, the BUFFALO TRANSIT COMPANY, INC., made application in writing, to the Town Board of the Town of Cheektowaga, New York, to operate omnibuses on and along a certain highway of the Town of Cheektowaga, New York, pursuant to the requirements of Section 50-A of the Public Service Law, and

WHEREAS, after due notice, a public hearing was held on said application by the Town Board on the 21st day of April, 1958, at which hearing a representative of the Buffalo Transit Company, Inc., and all other persons were given an opportunity to be heard,

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Cheektowaga, New York, HEREBY CONSENTS to the operation of the Buffalo Transit Company, Inc., of omnibuses for the transportation of passengers on the following highway located entirely within the Town of Cheektowaga, New York:

George Urban Boulevard - between Harlem Road and Union Road in both directions.

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

Councilman Wroblewski	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Fath	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -2-

42

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

WHEREAS, a request has been made by the sixth grades of the Cleveland Hill Elementary School and the Boy Scouts to beautify the triangle in front of the Cleveland Hill Elementary School,

BE IT RESOLVED, that this Board does hereby grant said request, and BE IT FURTHER

RESOLVED, that the Children interested in the project be congratulated for their interest in said work.

Seconded by Councilman Trojanoski.

AYES: -5-

NOES: -0-

ABSENT: -2- 42

Item No. 17 Moved by Councilman Neibert, seconded by Councilman Trojanoski, that the Sub Division Map known as Cherokee Park, Part of Lot 17, T 11 R 7 be approved and filed in the Assessors Office.

AYES: -5-

NOES: -0-

ABSENT: -2- 30

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

WHEREAS, the duties of the desk men in the Police Department have steadily increased and will continue to increase with the acceptance of illegal parking payments.

BE IT RESOLVED, that the salaries of all desk men in the Police Department be increased to \$4,950.00 effective January 1, 1958.

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

Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Fath	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -2- 20, 18

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

WHEREAS, the duties of Patrolman Willard F. White in the office of the Chief of Police have increased tremendously.

BE IT RESOLVED, that Willard F. White be and he hereby is promoted to the rank of Detective Sergeant at the annual salary of \$5,250.00, effective January 1, 1958, with the understanding that he continue to work in the office of the Chief of Police.

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 Trojanoski	Voting AYE
Councilman Fath	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -2- 18, 20, 31

Item No. 20 Moved by Councilman Trojanski, seconded by Councilman Fath, that the following named employees be granted a \$300.00 per year increase in salary effective as of January 1, 1958:

George Burst - Police Garage
Edward Snyder - Police Garage
Edmund Stachowski - Incinerator Plant
Stanley Senko - Incinerator Plant

AYES: -5-

NOES: -0-

ABSENT: -2-

26
31

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

WHEREAS, the Chief of Police has notified the Town Board that one Police Servi-Car is in a bad state of repair and should be replaced by a new Police Servi-Car 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 servi-car, and be it further

RESOLVED, that the Town Clerk publish the annexed Notice to Bidders in the DEPEW HERALD & 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 2:30 o'clock P.M., on May 5, 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 one Police Servi-Car, 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 2:30 o'clock P.M., Eastern Daylight Saving Time, on the 5th day of May, 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: April 21st, 1958

KENNETH T. HANLEY,
Town Clerk

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

Councilman Heidert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanski	Voting AYE
Councilman Fath	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -2-

Item No. 21-Cont'd.

SPECIFICATIONS
for a

HARLEY-DAVIDSON POLICE SERVI-CAR

Motor - 45 cu. in., air cooled, V type twin cylinder.

Transmission - Constant mesh, three speed and reverse.

Additional Equipment:

Safety Guard	Front wheel airen
Air Cleaner	Directional signals
Rear Bumper	Rear view mirror
DeLuxe Solo Saddle	Pursuit lamps
Police Decal	Sole Shield
Heavy Duty Generator	

Hereto attached is a copy of the Notice published
in the DEPEW HERALD-CHEEKTOWAGA NEWS:

1
18

Item No. 22 Councilman Weibert moved, seconded by Councilman Trojanoski, that the Town Clerk be authorized and directed to issue building permits on all applications approved by the Petitions Committee and the Building Inspector, on April 12, 1958, and April 19, 1958.

AYES: -5-

NOES: -0-

ABSENT: -2-

35
15

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

WHEREAS, the Town Board deems it necessary to readopt Section 24 of the Zoning Ordinance of the Town of Cheektowaga, New York, which was repealed on April 16, 1951.

NOW, THEREFORE,

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 21st day of April, 1958, at 7:30 o'clock P.M., Eastern Standard Time, for the purpose of considering the advisability of readopting Section 24 of the Zoning Ordinance of the Town of Cheektowaga, which is to provide as follows:

CERTIFICATE OF OCCUPANCY
AND COMPLIANCE

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

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, 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 Weibert and duly put to a vote, which resulted as follows:

Councilman Weibert	Voting AYE
Councilman Wroblewski	excused
Councilman Bystrak	Voting AYE
Councilman Trojanoski	excused
Councilman Fath	Voting AYE

AYES: -3-

NOES: -0-
EXCUSED: -2-

ABSENT: -2-

46

MOTION LOST.

Item No. 24

REZONING GRANTED LOBLAWS, INC.**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 Loblaw Inc., 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 and State of New York, described as follows:

BEGINNING at the intersection of the westerly line of Transit Road with the southerly line of Losson Road; running thence southerly, along the westerly line of Transit Road, 743 feet; thence westerly, generally parallel with the southerly line of Losson Road, 2750 feet to a point; thence northerly 743 feet more or less to the southerly line of Losson Road; and thence easterly, along said southerly line of Losson Road 2750 feet to the point of beginning, containing approximately 44.45 acres.

(743 feet frontage by 1300 feet in depth to be zoned only for business purposes.

Dated: April 21, 1958.

KENNETH T. HANLEY,

Town Clerk, Town of
Cheektowaga, N. Y.

my1

Item No. 24-Cont'd.

Posted as follows on the 5th day of May, 1958:

1 - Town Hall Bulletin Board.

Hereto attached is a copy of the Notice published in the DEPEW HERALD-CHEEKTOWAGA NEWS:

STATE OF NEW YORK
COUNTY OF ERIE

ss.:

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 Lohr Inc., for the rezoning of premises from Residential District to Business District of the property hereinafter described and amending the Zoning Map and Ordinance accordingly;

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

RESOLVED, that the decision of the Zoning Board of Appeals granting the application of the petitioner to remove 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, described as follows:

BEGINNING at the intersection of the westerly line of Transit Road with the southerly line of Lonsdale Road; running thence southerly along the westerly line of Transit Road, 148 feet; thence westerly, generally parallel with the southerly line of Lonsdale Road, 250 feet to a point; thence north-

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 *1st* day of *May* 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

May 19 *58*

John T. Barry
Notary Public in and for Erie County

Item No. 24-Cont'd.

Posted as follows on the 5th day of May, 1958:

1 - Town Hall Bulletin Board.

Hereto attached is a copy of the Notice published in the DEPEW HERALD-CHEEKTOWAGA NEWS:

STATE OF NEW YORK
COUNTY OF ERIE

ss.:

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

When the Town Board of the Town of Cheektowaga, New York, held a public hearing for the purpose of considering the application of Lohmeyer Inc. for the rezoning of premises from Residential District to Business District of the property hereinafter described and amending the Zoning Map and Ordinance accordingly,

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

RESOLVED, that the decision of the Zoning Board of Appeals granting the application of the petitioner to remove the 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 31, 1942, and as now amended and the same hereby is amended by changing the Zoning Map so as to change the following description of property from that of Residential District to Business District.

DESCRIPTION

THAT TRACT OR PARCEL of land situated in the Town of Cheektowaga, County of Erie and State of New York, described as

BEGINNING at the intersection of the westerly line of Transit Road with the southerly line of Lohmeyer Road; running thence generally along the westerly line of Lohmeyer Road 743 feet; thence generally parallel with the southerly line of Lohmeyer Road 100 feet to a point; thence northwesterly 100 feet more or less to the southerly line of Lohmeyer Road; and thence easterly, along said southerly line of Lohmeyer Road 2730 feet to the point of beginning, containing approximately 44.45 acres.

and feet frontage by 1300 feet in depth to be zoned only for business

Dated: April 21, 1958.

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

my1

Item No. 25 Referred to the Chairman of the Sidewalk Committee Trojanoski the complaint of Mary Spadinger of No. 18 Calderwood Drive. 25

Item No. 26 Referred to the Highway Superintendent the complaint of residents on McNaughton Avenue relating to dusty and dirty highway conditions. 13

Item No. 27 Councilman Bystrak moved, seconded by Councilman Weibert, 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. 6

Warrant No. 896 to Warrant No. 1063, inclusive, drawn on the Supervisor.

AYES: -5-

NOES: -0-

ABSENT: -2-

Item No. 28 Moved by Councilman Bystrak, seconded by Councilman Weibert, to adjourn.

SEAL

KENNETH T. HANLEY
Town Clerk.

Kenneth T. Hanley

MEETING NO. 12Cheektowaga, New York
May 5, 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 5th day of May, 1958, there were:

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

ABSENT:	Benedict T. Holts	Supervisor
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Also present were: Town Clerk Hanley; Town Attorney Delahunt; Chief of Police Mersmann, and Chairman of the Zoning Board of Appeals Kurnick.

Due to the absence of Supervisor Holts, Councilman Wroblewski was designated 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 the Board a communication from the Sloan Active Hose Company requesting that the following resolution be read at the Town Board meeting:

"RESOLVED, that if the Town Board granted raises of \$300.00 to a certain few employees, the fire company feels that all employees should be given the same consideration. We feel, especially, that the Town Janitors should be among those receiving raises."

10
42

Item No. 4 Referred to the Town Engineer the request of Leo D. DiBernardinis to purchase Lot No. 449, m/c/962, which is now owned by the Town.

36
10

Item No. 5 Referred to the Assessors the communication from Kevin Kennedy, Counselor at Law, relating to Chapter 281, Laws of 1958, as it affects Catholic Church Rectories.

10
32

Item No. 6 Referred to the Assessors for a property check the petition for the improvement of Farmingdale Road by the installation of street lighting equipment.

17
27

Item No. 7 Referred to the Town Health Officer and the Building Inspector the complaint of the Board of Fire Commissioners of Doyle District No. 1 relating to a dwelling at No. 462 Cayuga Creek Road which is unfit for human occupancy.

43
10

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

WHEREAS, Arthur F. Musarra, D & C Building Co., Inc., and Claudette, Inc., have entered into an agreement with the Town of Cheektowaga, New York, wherein said Arthur F. Musarra, D & C Building Co., Inc., and Claudette, Inc., have agreed to place topping on the following described highway:

Item No. 8-Cont'd.

HOMEWORTH ROAD, located in the Town of Cheektowaga, County of Erie and State of New York, commencing at the intersection of the North line of Meadowlawn and proceeding Northerly, a distance of 582 feet, as shown on a Map of Homeworth Work, filed in the Erie County Clerk's Office, under Cover No. 1070.

and

WHEREAS, Arthur F. Masarra, D & C Building Co., Inc., and Claudette, Inc., have 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 Five hundred eighty-two (582) feet, and has filed as security for the faithful performance of said agreement a surety bond in the sum of Six Thousand Nine Hundred Eighty-four (\$6,984.00) 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 Arthur F. Masarra, D & C Building Co., Inc., and Claudette, Inc., and the Town of Cheektowaga, New York, on behalf of the Town of Cheektowaga, New York, 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 Weibert and duly put to a vote, which resulted as follows:

Councilman Weibert	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-

AGREEMENT

This Agreement made this 5th day of May, 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 ARTHUR F. MASARRA, of 335 Ellicott Square Building, Buffalo 3, New York, D & C BUILDING CO., INC., a 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 335 Ellicott Square Building, Buffalo 3, New York and CLAUDETTE, INC., a 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 335 Ellicott Square Building, Buffalo 3, New York, parties of the second part:

WITNESSETH:

WHEREAS, the parties of the second part are the owners of the abutting property on Homeworth Road, commencing at the intersection of the north line of Meadowlawn and proceeding northerly, a distance of 582 feet, as shown on a Map of Homeworth Park, filed in the Erie County Clerk's Office, under Cover No. 1070, and

WHEREAS, the parties of the second part have constructed the foundation for the highway and have 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

Item No. 8-Cont'd.

WHEREAS, the parties of the second part have requested the Town of Cheektowaga to accept as a town highway HORSBARTH ROAD, commencing at the intersection of the north line of Meadowlawn and proceeding northerly, a distance of 582 feet, as shown on a Map of Hamsworth Park, filed in the Erie County Clerk's Office, under Cover No. 1070 and have 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 parties of the second part agree to place topping on Hamsworth Road, commencing at the intersection of the north line of Meadowlawn and proceeding northerly, a distance of 582 feet, on or before August 21st, 1959. They further agree, 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 parties 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 \$6,984.00, said Bond to provide that the parties 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 April 21st, 1959, or upon such date as designated by the Highway Superintendent of the Town of Cheektowaga, New York. In the event the parties of the second part fail 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 such highway, shall be paid by the parties of the second part and their surety, in the event said sum of \$6,984.00 is insufficient to pay such cost, then the parties of the second part hereby agree 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 \$6,984.00.

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 S/S Benedict T. Holts
Supervisor

S/S Arthur F. Musarra, Pres.
D & C BUILDING CO., INC.

CLAUDETTE, INC.
S/S Arthur F. Musarra, Pres.

Item No. 9 Moved by Councilman Kornecki, seconded by Councilman Neibert, that Detective Sergeant Harold J. Kuehlewind be authorized and directed to attend the New York State Youth Commission Training Institute at Canton, New York, on July 27, 1958 thru August 1, 1958.

AYES: -6-

NOES: -0-

ABSENT: -1-

31
42

Item No. 10 Moved by Councilman Kornecki, seconded by Councilman Fath,

RESOLVED, that the following request of the Chief of Police be granted:

That "NO PARKING HERE TO CORNER" signs be erected on Kenview Boulevard, as follows:

- 1 - 100 feet south of Kensington Avenue on the east side of Kenview Blvd.
- 2 - 100 feet north of Kensington Avenue on the west side of Kenview Blvd.

AYES: -6-

NOES: -0-

ABSENT: -1-

18
41

Item No. 11
Kornecki,

Moved by Councilman Neibert, seconded by Councilman

WHEREAS, the Chief of Police has recommended the installation of traffic control "STOP" signs at the following intersections:

1. Northwest corner of West Grand and Grand.
2. Southeast corner of West Grand and Grand.
3. Southeast corner of Rosewood Terrace and Grand.
4. Southeast corner of Midland Drive and Grand.
5. Southeast corner of Westland and Grand.
6. Southeast corner of Eastland and Grand.
7. Southeast corner of Kilbourne and Grand.
8. Northeast corner of East Grand and Grand.
at 229 East Grand (east of driveway)
9. Northwest corner of West Grand and Grand.
10. Northwest corner of Midland and Grand.
11. Northeast corner of Grand and West Grand across
from the Southeast corner of Rosewood Terrace.
12. Southwest corner of Danbury Drive & Woodridge Ave.
13. Northeast corner of Danbury Drive & Woodridge Ave.

BE IT RESOLVED, that the Chief of Police be authorized and directed to install same signs as soon as it is reasonably possible.

AYES: -6-

NOES: -0-

ABSENT: -1-

18
41

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 the existing Sodium Vapor lights situate at Union and Broadway (Cloverleaf) and replace with 10,000 lumen incandescent globe type lights.

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

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: -6-

NOES: -0-

ABSENT: -1-

27

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

WHEREAS, emergency sewer repairs were required on Winston Avenue in Sanitary Sewer District No. 5, which repairs were ordered by the Town Engineer, and

WHEREAS, the cost of the work and materials amounted to \$1,634.78.

BE IT RESOLVED, that the voucher of Straco, Inc., in the amount of \$1,634.78, to do the work and furnish the materials, be approved and ordered paid.

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

Councilman Weibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bysrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

6
24

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

WHEREAS, a written petition was duly filed with this Board for the improvement of both sides of Warsaw Street, from William Street north approximately 1030 feet to the south property line of the Forest Materials, Inc., property, by the construction of curbs, together with the installation of necessary underground drains; (Said highway is now paved for its entire length), and

WHEREAS, said petition was duly signed by owners of real property constituting the owners of at least one-half of the entire frontage or bounds on both sides of said portion of said highway to be improved as aforesaid, and also constituting resident owners owning not less than one-half of the frontage owned by resident owners along both sides of said portion of said highway to be improved, and

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

WHEREAS, at a meeting of said Town Board duly called and held on the 21st day of April, 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 such petition, to wit: the sum of Twelve Thousand Two Hundred Dollars (\$12,200.00), and specifying that all the said Board would meet to consider the petition and hear all persons interested in the subject thereof concerning the same, at the Town Hall in the Town of Cheektowaga, on the 5th day of May, 1958, at 2:30 o'clock P.M., Eastern Daylight Saving 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 Town 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 Section 200 of the Town Law of the State of New York, it is hereby

RESOLVED, that this Board hereby determines that it is in the public interest to make the improvement petitioned for, to wit: both sides of Warsaw Street, from William Street north approximately 1030 feet to the south property line of the Forest Materials, Inc., property, by the construction of curbs, together with the installation of necessary underground drains, and it is further

RESOLVED, that Hunsbammer, Clarke and Valsy, Consulting Engineers for this Town, shall survey said portion of Warsaw Street and establish the lines and grades thereof, and shall file such survey and profile in the Town Clerk's Office, and be it further

Item No. 14-Cont'd.

RESOLVED, that said Mushawer, Clarke and Velsy 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 Bystrek and duly put to a vote, which resulted as follows:

Councilman Wroblewski	Voting AYE
Councilman Bystrek	Voting AYE
Councilman Fath	Voting AYE
Councilman Melbert	Voting AYE
Councilman Trojanski	Voting AYE
Councilman Kornicki	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

17
21A

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

WHEREAS, this Town Board has heretofore determined it to be in the public interest to improve Goerling Avenue, by the construction of lateral sewers, together with all other apartment work in accordance with the contract documents, so as to benefit the property owners on the above described highway, and

WHEREAS, this Board has heretofore directed Mushawer, Clarke & Velsy, 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.

BE IT RESOLVED, that sealed proposals be invited for the furnishing of labor and materials necessary for the doing of the work for the construction of said improvement in the aforementioned highway 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 DAILY HERALD and CHESTNUTAGA 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 Chestnuta at the Town Hall, corner of Broadway and Union Road in the said Town of Chestnuta, New York, on the 19th day of May, 1958, at 7:30 o'clock P.M., Eastern Daylight Saving Time, and be it further RESOLVED, that said Notice to Contractors be in substantially the following form to wit:

Item No. 15-Cont'd.

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 19th day of May, 1958, at 7:30 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 3½ lineal feet of 8-inch diameter pipe on Union Road and 990 lineal feet of 8-inch diameter pipe on Georing Avenue 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, therefor, including Plans, Specifications, Instructions to Bidders, etc., prepared by Hunsbawer, Clarke & Velsy, Consulting Engineers to 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 Hunsbawer, Clarke & Velsy, Consulting Engineers, 327 Franklin Street, Buffalo 2, New York. One copy of said proposed documents may be obtained upon payment of \$30.00. Any bidder, upon returning said 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.

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

Dated: May 1, 1958
Published: May 8, 1958

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

Councilman Fath	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Weibert	Voting AYE
Councilman Bystrak	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 DEPUY-HERALD-CHEEKTOWAGA NEWS;

1
24

Item No. 15-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 8th day of May, 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

MAY 12 1958

19.....

Kerr J. Wankel
Notary Public in and for Erie County

Item No. 15-Cont'd.

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE

ss.:

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

Mayor of the Town of Cheektowaga, Erie County, New York, and that he is the person who has been authorized by the Town Board of Cheektowaga, Erie County, New York, to execute and deliver the following Certificate of Intent to Construct and Town Board on the 19th day of May, 1938, at 7:30 p.m. in the Town Hall, Broadway at Union Road, Cheektowaga, New York, for furnishing all material, labor, equipment, and together with all other for the construction of approximately 345 lineal feet of 18 inch diameter pipe on Union Road and 900 lineal feet of 18 inch diameter pipe on Georing Avenue in Sanitary Sewer District No. 1, Town of Cheektowaga, Erie County, New York, including manholes, wye branches, riser pipes and other appurtenant work in accordance with the Contract Documents, therefor, including Plans, Specifications, Instructions to Bidders and other documents prepared by Nussbaumer, Clarke & Velsky, Consulting Engineers, in the Town of Cheektowaga, Erie County, 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 of the office.

That the proposed Contract Documents, Plans, Specifications, Instructions to Bidders and other documents of the Consulting Engineers, Nussbaumer, Clarke & Velsky, Consulting Engineers, 727 West 42nd Street, Buffalo 2, New York, are on file with the Town Clerk at his office in the Town Hall, Broadway at Union Road, Cheektowaga, Erie County, New York, and that the same may be examined during the usual business hours of the office. That the Town of Cheektowaga, Erie County, New York, reserves the right to reject any or all bids, or to waive any informalities, or to award to other than the bidder.

That the 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 (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.

That no bidder may withdraw his bid within sixty (60) days after the date set for the opening thereof, nor may he withdraw same at any time prior to the scheduled time for the opening of bids.

Dated: May 1, 1938

KENNETH T. HANLEY
Town Clerk

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

WHEREAS, the Town Board deems it necessary to re-adopt Section 24 of the Zoning Ordinance of the Town of Cheektowaga, New York, which was repealed on April 16, 1951,

NOW, THEREFORE, 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 19th day of May, 1958, at 7:30 o'clock p.m., E.D.S.T., for the purpose of considering the advisability of re-adopting Section 24 of the Zoning Ordinance of the Town of Cheektowaga, New York, which is to provide as follows:

CERTIFICATE OF OCCUPANCY AND COMPLIANCE

No building hereafter structurally altered or erected, shall be used or changed in use, nor premises occupied or used, until a certificate of occupancy and compliance shall have been issued to the effect that the buildings or premises complied with the provisions of these ordinances. A like certificate shall be issued to maintain, renew, change or extend a non-conforming use. Said certificate of occupancy and compliance for the whole or part of the building or premises shall be applied for coincident with the application for a building or use permit, and shall be issued within ten (10) days after the erection or structural alteration of such building or part shall have been completed in conformity with the provisions of this ordinance. No such certificate shall be issued by the Town Clerk until it has been recommended by the Building and Plumbing Inspector and approved by the Town Board. A record of said certificate shall be kept in the office of the Town Clerk. That a fee of five (\$5.00) dollars be charged for each occupancy and compliance permit issued.

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-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 Meibert and duly put to a vote, which resulted as follows:

Councilman Path	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Meibert	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Wroblewski	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

Posted as follows on the 8th day of May, 1958:

1 - Town Hall Bulletin Board.

Attached hereto is a copy of the Notice published in the DEPEW HERALD-CHEEKTOWAGA NEWS:

Item No. 16-Cont'd.

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE

ML2

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Dapew Herald and News **Chicktowne**

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 8th day of May, 1958, and the last insertion being on the day of 19....., and that not more than six days intervened between any two publications thereof.

ations thereof

Sworn to before me this day of

MAY 12 1958

19

Notary Public in and for Erie County

Item No. 16-Cont'd.

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE

2

RICHARD G. BENNETT

at the Town Hall in the city
of Chesham, New York,
on the 22nd day of May, 1900, at 2:30
P. M., E.D.S.T., there were:

James M. Palk, Councilman
John W. Woloski, Councilman
Edward Kornecki, Councilman
Joseph J. Trzemeski, Councilman
William A. Niekert, Councilman
Thomas S. Bystrak, Councilman

T. Holt, Supervisor
Kornicki presented
resignation and moved
the board.
Holt, the **Board**
to report See
of the **Commission**
of **Chicago**, New
on April

THEATRORE AN A RE
that pursuant to the pro-
visions of the Town Law of the
State of New York, the Town
Board of the Town of Glenshire,
New York, shall meet at the
Hall corner of Broadway
and Main Road, in the said Town
on the 15th day of May, 1956, at
10:00 a.m. N.D.A.T. for the
purpose of considering the advis-
ability of re-designating Section 34 of
the Town Ordinance of the Town
of Glenshire, New York, which
reads as follows:

STATE OF OCCUPANCY

CERTIFICATE
 Building hereafter constructed or erected, shall be changed in use, or premises used in such a manner as to alter the character of the premises, until a certificate of occupancy and compliance with the provisions of the building or plumbing laws have been issued to the owner of the building or premises. A like certificate shall be issued to maintain the same in compliance with the provisions of the building or plumbing laws. Said certificate of occupancy and compliance for the whole or part of the building or premises shall be applied for concurrently with the application for a permit, and shall be issued within ten (10) days after the erection or structural alteration of such building or part thereof. If such certificate has not been completed in compliance with the provisions of this ordinance, the owner of the building shall be fined by the Town Clerk until the same is recommended by the Building and Plumbing Inspector and approved by the Town Board. The cost of said certificate shall be kept in the office of the Town Clerk. That a fee of five (\$5.00) shall be charged for each occupancy and compliance permit is-

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 is hereby authorized and empowered to publish a certified copy of this resolution in the DEPEW 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 be post, or cause to be posted conspicuously, on a signboard maintained by him, at the entrance of the Town Clerks' office, a certified copy of this resolution.

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

sulted as follows:
 Councilman Fath, Voting Aye
 Councilman Kornecki, voting Aye
 Councilman Trojanoski, voting Aye
 Councilman Neibert, voting Aye
 Councilman Bystrak, voting Aye
 Councilman Wroblewski, voting Aye

Carried: Ayes: 6, Noes: 0, Absent: 1.

sent: 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

Item No. 16-Cont'd.

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE

ss.:

RICHARD G. BENNETT

that said resolution was duly adopted by the Town Board of the Town of Cheektowaga, New York, and that the Town Clerk is and hereby is authorized and directed to publish a certified copy of this resolution in the DEPEW HERALD-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.

Resolved by Councilman Nelbert that the same be put to a vote which resulted as follows:

Councilman Pith, Voting Aye
Councilman Korogochi, voting Aye
Councilman Troianowski, voting Aye
Councilman Williams, voting Aye
Councilman Bantick, voting Aye
Councilman Wroblewski, voting Aye
Yeas: 6, Nays: 0, Absent: 0

Subscribed at New York)
County of Erie) ss.
I, Richard G. Bennett, Clerk of the)
Town of Cheektowaga)

do hereby 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 the office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 5th day of May 1968, and that the same is a correct and true transcript of such resolution and the whole

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 5th day of March 1968.
KENNETH T. HANLEY,
Clerk of the Town Board, Town of Cheektowaga, N.Y.

Item No. 17 This being the time and the place advertised for the receiving of sealed bids for the purchase of one Service Car for use in the Police Department.

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

Hereto is a summary of the bids opened and read by the Clerk:

The one and only bid was that of Nadler Harley Davidson Sales, Buffalo, New York, in the amount of \$1,450.00.

The Chairman ordered the bids referred to the Chief of Police to study.

1
18

Item No. 18 This being the time and the place advertised for the receiving of sealed bids for the furnishing of all materials, tools, equipment, and together with all labor for the construction of a foot bridge over Scajaquada Creek at the foot of Alexander Street, together with approach sidewalk and other appurtenant work in accordance with the contract documents thereof, including plans, specifications, instructions to bidders, etc., prepared by Nussbaumer Clarke and Velsy, Consulting Engineers for the Town of Cheektowaga.

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

Moved by Councilman Trojanoski, seconded by Councilman Neibert, that the Clerk proceed to open and read the sealed bids on hand.

Hereto is a summary of the bids received:

Item No. 18 - Cont'd.

SUMMARY OF BIDS
FOOT BRIDGE AT THE FOOT OF ALEXANDER AVE OVER SCAJAQUADA CREEK
TOWN OF CHEEKTOWAGA, N.Y.

DESCRIPTION	QUANTITY	UNIT	FRANK C. HUBER CO. INC.		SUBURBAN CONCRETE CO. INC.		MICHAEL WAGNER & SONS INC.		SIMONS & WEHRMEYER		J.P. STUBBS & SONS CONST. CO.		INDUSTRIAL CONST. CO.		E. CARDARELLI & CO.	
			UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL
FURNISH & INSTALL BRICK CONSTRUCTION IN ADJUTMENTS	LUMP	SUM	—	10,998.00	—	11,750.00	—	11,763.00	—	7,935.00	—	1,961.00	—	11,516.00	—	13,210.00
FURNISH & INSTALL WOOD PILES	LUMP	SUM	—	500.00	—	2,000.00	—	4,149.00	—	300.00	—	BID	—	2,000.00	—	1,000.00
ADDITIONAL WOOD PILES IN EXCESS OF 100 LF	LINEAL	FT.	3.50	—	15.00	—	10.00	—	3.00	—	No BID	—	10.00	—	10.00	—
FURNISH & INSTALL FLOOR JOISTS, ETC.	LUMP	SUM	—	5,338.00	—	4,600.00	—	5,691.00	—	7,670.00	—	2,863.00	—	4,828.00	—	5,500.00
FURNISH & INSTALL PAINT	LUMP	SUM	—	350.00	—	2,000.00	—	329.00	—	390.00	—	533.00	—	330.00	—	500.00
FURNISH & INSTALL 2 LIGHT STANDARDS	LUMP	SUM	—	1,039.00	—	1,000.00	—	778.00	—	850.00	—	1,017.00	—	300.00	—	1,200.00
FURNISH & INSTALL CONCRETE SIDEWALK 18.50'	S.F.	0.75	*	1,387.50 1,475.00	1.00	1,850.00	.86	1,591.00 1,598.00	1.10	2,035.00	0.51	1,498.50 1,458.00	0.76	1,406.00 1,400.00	1.00	1,850.00
FURNISH & INSTALL FENCING	LUMP	SUM	—	348.00	—	750.00	—	545.00	—	770.00	—	622.00	—	375.00	—	600.00
TOTAL BID ITEMS 1 THRU 7 INCLUSIVE			* 18,620.50 18,708.00		23,950.00		* 24,846.00 24,853.00		19,950.00		* 28,400.50 27,300.00		* 24,645.00 24,639.00		* 23,860.00 23,870.00	
BID SECURITY			FIDELITY AND DEPOSIT COMPANY		NEW AMSTERDAM CASUALTY		AMERICAN SURETY COMPANY		MASSACHUSETTS BONDING & INSURANCE CO.		THE TRAVELERS INDEMNITY CO.		CERTIFIED CHECK U.F.T. TRUST CO.		STINA CASUALTY & SURETY COMPANY	
CLARKE & VELZY			* INDICATES CORRECTED FIGURE		BUFFALO, N.Y.				BIDS RECEIVED MAY 5, 1958 2:30 P.M. E.D.T.						A-776	

BID
 R AVE OVER SCAJAQUADA CREEK
 TOWN OF TOWN, N.Y.

MICHAEL WAGNER & SONS INC.			SIMONS & WEHRMEYER		J.P. STRAUBINGER CONST. CO.		INDUSTRIAL CONST. CO.		E. CARDARELLI & CO.	
AL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL
50.00	—	11,763.00	—	7,935.00	—	18,961.00	—	15,326.00	—	13,210.00
20.00	—	4,149.00	—	300.00	—	NO BID	—	2,000.00	—	1,000.00
—	10.00	—	3.00	—	NO BID	—	10.00	—	10.00	—
100.00	—	5,691.00	—	7,670.00	—	5,969.00	—	4,888.00	—	5,500.00
100.00	—	329.00	—	390.00	—	333.00	—	350.00	—	500.00
100.00	—	778.00	—	850.00	—	1,017.00	—	300.00	—	1,200.00
30.00	.86	* 1,591.00 1,598.00	1.10	2,035.00	0.81	* 1,496.50 1,498.00	0.76	* 1,406.00 1,400.00	1.00	1,850.00
50.00	—	545.00	—	770.00	—	622.00	—	375.00	—	600.00

100.00	* 24,846.00 24,853.00	19,950.00	* 28,400.50 27,900.00	* 24,645.00 24,639.00	* 23,860.00 23,870.00
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ITEM NO. 2 NOT INCL.

TERDA / CO.	AMERICAN SURETY COMPANY	MASSACHUSETTS BONDING & INSURANCE CO.	THE TRAVELERS INDEMNITY CO.	CERTIFIED CHECK M. & T. TRUST CO.	AETNA CASUALTY & SURETY COMPANY
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BIDS RECEIVED: MAY 5, 1958 2:30 P.M. E.D.T.

A-776

Item No. 18-Cont'd.

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

Item No. 19 Councilman Trojanoski moved, seconded by Councilman Neibert, that the Town Clerk be authorized and directed to issue building permits on all applications approved by the Petitions Committee and the Building Inspector on April 26, 1958 and May 3, 1958. 15
35

AYES: -6-

NOES: -0-

ABSENT: -1-

Item No. 20 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. 1064 to Warrant No. 1177, inclusive, drawn on the Supervisor. 6

AYES: -6-

NOES: -0-

ABSENT: -1-

Item No. 20-A**NOTICE OF HEARING**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, in said Town of Cheektowaga, on the 5th day of May, 1958, at 2:30 o'clock P. M., Eastern Daylight Saving Time, there were:

PRESENT:

Alancin M. Fath, Councilman
Joseph Kornecki, Councilman
Joseph M. Trojanoski, Councilman
Joseph A. Neibert, Councilman
Stanley R. Bystrak, Councilman
Felix T. Wroblewski, Councilman

ABSENT:

Benedict T. Holtz, Supervisor
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 21st day of April, 1958.

PUBLIC HIGHWAYS TO BE IMPROVED**NAMES OF HIGHWAYS**

Duchess Court
FROM
Beach Road

TO

End of the Street

TYPE OF STREET LIGHTING INSTALLATION

Three (3) Y 19 Standards—
Under Ground Conduit—4000
Lumen.

WHEREAS, Edward B. Jerzowski, 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 19th day of May, 1958, at 7:30 P. M. Eastern Daylight Saving Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the Cheektowaga Times, 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 Kornecki and duly put to a vote which resulted as follows:

Councilman Fath voting Aye
Councilman Kornecki voting Aye

Councilman Trojanoski voting Aye

Councilman Neibert voting Aye

Councilman Bystrak voting Aye

Councilman Wroblewski voting Aye

Ayes: 6; Noes: 0; Absent: 1.

STATE OF NEW YORK)

ERIE COUNTY)

OFFICE OF THE CLERK) ss:

OF THE TOWN OF)

CHEEKTOWAGA)

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on 5th day of May, 1958, and that the same is a correct and true transcript of such original resolution and the whole thereof.

(S E A L)

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 5th day of May, 1958.

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

- 1- Post at the corner of Duchess Court and Beach Road;
- 2- Post in front of No. 17 Duchess Court;
- 3- Post in front of No. 16 Duchess Court;
- 4- Post in front of No. 28 Duchess Court;
- 5- Post in front of No. 35 Duchess Court.

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

17
27

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.....weeks;
first publication MAY 8 1958
last publication MAY 8 1958
and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

day of MAY 16 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
Registered No. 5029

- 3- Post in front of No. 16 Duchess Court;
4- Post in front of No. 28 Duchess Court;
5- Post in front of No. 35 Duchess Court.

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

17
27

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.....weeks:
first publication MAY 8 1958
last publication MAY 8 1958
and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....
MAY 16 1958
day of 19.....

Eve J. Allis

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

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

NOTICE OF HEARING

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, in said Town of Cheektowaga, on the 5th day of May, 1958, at 2:30 o'clock P. M., Eastern Daylight Saving Time, there were:

PRESENT:

Albin M. Fath, Councilman
Joseph Kornecki, Councilman
Joseph M. Trojanoski, Councilman
Joseph A. Neibert, Councilman
Stanley B. Bystrak, Councilman
Felix T. Wroblewski, Councilman

ABSENT:

Benedit T. Holtz, Supervisor
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 21st day of April, 1958.

PUBLIC HIGHWAYS TO BE IMPROVED
NAMES OF HIGHWAYS:
Duchess Court
FROM
Beach Road
TO
End of the Street.

TYPE OF STREET LIGHTING-INSTALLATION

Three (3) Y 15 Standards-Under Ground-Conduit-4000 Lumens

WHEREAS, Edward B. Jernowski, 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 proper manner as a deed to be recorded by the owners of more than one-half of the entire lot or lots 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 19th day of May, 1958, at 7:30 P. M. Eastern Daylight Saving Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the Cheektowaga Times, 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 Kornecki and duly put to a vote which resulted as follows:

Councilman Fath voting Aye
Councilman Kornecki voting Aye
Councilman Trojanoski voting Aye
Councilman Neibert voting Aye
Councilman Bystrak voting Aye
Councilman Wroblewski voting Aye

Ayes: 5; Noes: 0; Absent: 1.

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

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on 5th day of May, 1958, 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 affixed the seal of said Town this 5th day of May, 1958.

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

4-29-58

POLLING PLACES	BINGO		PROPOSITION NO. 1		PROPOSITION NO. 2		
	YES	NO	YES	NO	YES	NO	
1 CLEVELAND HILL FIRE HALL	219✓	61✓	119✓	102✓	108✓	86✓	11
2 FIRE HILL FIRE HALL	369✓	40✓	159✓	83✓	150✓	86✓	13
3 WILCHEST FIRE HALL	298✓	29✓	167✓	96✓	132✓	81✓	14
4 SCHOOL NO. 10, ALEXANDER ST.	430✓	31✓	140✓	99✓	122✓	105✓	15
5 SLOAN VILLAGE HALL	358✓	33✓	73✓	162✓	75✓	141✓	16
6 THEODORE ROOSEVELT SCHOOL	241✓	29✓	73 77✓	77✓	115✓	74✓	17
7 CHESTNUT HILL TOWN HALL	128✓	19✓	73✓	39✓	68✓	38✓	18
8 CAYUGA FIRE HALL, DEPTEN	72✓	16✓	32✓	33✓	35✓	33✓	19
9 BOYLE FIRE HALL NO. 2	204✓	21✓	97 46	55✓	106✓	59✓	20
10 NORTH HILL ELEMENTARY SCHOOL	279✓	87✓	168✓	119✓	172✓	128✓	21
11 TIONANDA	235✓	55✓	113✓	80✓	112✓	94✓	22
TOTAL	2833✓	421✓	1273 1273✓	945✓	1201✓	919✓	

YES Proposition No. 1 NO
 Shall the qualified electors of the Town of Cheektowake, County of Erie, State of New York, approve the Town Law adopted by the Town Board of the Town of Cheektowake, on the 7th day of April, 1958, which provides for the collection and disposal of refuse and garbage, and for the financing and construction of a new Town Highway Garage.

YES Proposition No. 1 NO
 Shall the qualified electors of the Town of Cheektowake, in the County of Erie, State of New York, approve the Town Law adopted by the Town Board of said Town on the 7th day of April, 1958, which provides for the collection and disposal of refuse and garbage, and for the financing and construction of a new Town Highway Garage, and for the financing and construction of a new Town Highway Garage.

Town of Cheektowake, on the parcel of land now owned by the Town located at Union Road near Broadway, and the acquisition of furnishings and equipment suitable for the use of said building for such purposes and disposition thereof as the Town Board, in its discretion, may determine, and that the payment of such costs shall be guaranteed by the Town of Cheektowake, and that the payment of such costs shall be in excess of five years.

YES Proposition No. 2 NO
 Shall the Town Board of the Town of Cheektowake, in the County of Erie, State of New York, approve the Town Law adopted by the Town Board of said Town on the 7th day of April, 1958, which provides for the collection and disposal of refuse and garbage, and for the financing and construction of a new Town Highway Garage, and for the financing and construction of a new Town Highway Garage.

Referendum: Hereto attached is a summary of the vote of said

Item No. 21 Ordered received and filed the report of the Town Clerk of the April 29, 1958, Referendum for the legalization of Bingo and for the financing and construction of a new Town Highway Garage.

11
40
3

4-29-58

POLLING PLACES

BINGO

HIGHWAY GARAGE
PROPOSITION NO. 1

PROPOSITION NO. 2

	YES	NO	YES	NO	YES	NO	
1 CLEVELAND HILL FIRE HALL	219✓	61✓	119✓	102✓	108✓	86✓	✓
2 FINE HILL FIRE HALL	369✓	40✓	159✓	83✓	150✓	86✓	✓
3 S-CREST FIRE HALL	298✓	29✓	167✓	96✓	132✓	80✓	✓
4 SCHOOL NO. 10, ALEXANDER ST.	430✓	31✓	140✓	99✓	122✓	105✓	✓
5 SLOAN VILLAGE HALL	358✓	33✓	73✓	162✓	75✓	141✓	✓
6 THEODORE ROOSEVELT SCHOOL	241✓	29✓	127 34✓	77✓	115✓	74✓	✓
7 CHEEKTOWAGA TOWN HALL	128✓	19✓	73✓	39✓	68✓	38✓	✓
8 CAYUGA FIRE HALL, DEPEW	72✓	16✓	32✓	33✓	35✓	33✓	✓
9 DOYLE FIRE HALL NO. 2	204✓	21✓	91✓	55✓	106✓	59✓	✓
10 NORTH HILL ELEMENTARY SCHOOL	279✓	87✓	168✓	119✓	172✓	128✓	✓
11 TIOGARUTA	235✓	55✓	113✓	80✓	112✓	94✓	✓
TOTAL	2833✓	421✓	127 1273✓	945✓	1201✓	919✓	

YES Proposition No. 1 NO

Shall the qualified electors of the Town of Cheektowaga, County of Erie, State of New York, approve the amendment to the Local Finance Law adopted by the Town Board of said Town on the 7th day of April, 1958, which amendment authorizes the Town to contract, lease, purchase, or otherwise acquire, for the purpose of constructing, maintaining, and operating, a building to be used by the Town as a place for the housing and storage of auxiliary, road, implements and equipment of the

YES Proposition No. 1 NO

shall the qualified electors of the Town of Cheektowaga, in the County of Erie, approve the Bond Resolution adopted by the Town Board of said Town on the 7th day of April, 1958, which resolution authorizes the issuance of \$250,000 Serial Bonds and \$250,000 General Obligation Bonds to be used by the Town for the purpose of financing the construction of a building to be used by the Town as a place for the housing and storage of auxiliary, road, implements and equipment of the

Town of Cheektowaga, on the parcel of land now owned by the Town located at Union Road near Broadway, and the acquisition of furnishings and equipment suitable for the use of said building for such purpose; and determine that the maximum cost of said building, as authorized by the Town Board, is \$250,000, and determine that such cost shall be financed by the issuance of such Serial Bonds and Capital Bonds, and that the maximum of such obligations will be in excess of five years

YES Proposition No. 2 NO

Shall the Town Board of the Town of Cheektowaga, County of Erie, State of New York, approve the amendment to the Local Finance Law adopted by the Town Board of said Town on the 7th day of April, 1958, which amendment authorizes the Town to contract, lease, purchase, or otherwise acquire, for the purpose of constructing, maintaining, and operating, a building to be used by the Town as a place for the housing and storage of auxiliary, road, implements and equipment of the

Referendum:

Hereto attached is a summary of the vote of said

Item No. 21 Ordered received and filed the report of the Town Clerk of the April 29, 1958, Referendum for the legislation of Bingo and for the financing and construction of a new Town Highway Garage.

Item No. 21 -A This page of the minute book is dedicated to C. Chase Zalemski, former Town Supervisor from January 1, 1932, to December 31, 1947, and prior to that Mr. Zalemski acted in the capacity of Receiver of Taxes and Assessments, and Town Constable for a total of twenty years of public service to the Town of Cheektowaga. His many years of faithful and efficient service will be remembered by all.

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Memorial Resolution

Whereas, Almighty God in His infinite wisdom has removed from our midst

C. CHASE ZALEMSKI

in whose death we have lost a sincere and loyal friend, his community a valued and respected citizen and his family, a kind and devoted member; and

Whereas, during the period of years we were privileged to know him, he was a true and faithful citizen and by his constant devotion to the best interests of our community and his fellowmen endeared himself to his host of friends; and

Whereas, we shall miss his pleasant companionship and good fellowship, his wise counsel and worthy participation in our activities; therefore be it

Resolved, that we mourn deeply the passing of our worthy and beloved friend and extend this expression of heartfelt sympathy to his family in this their sad bereavement, confident in the knowledge that having reached the end of his earthly journey, has received his eternal and glorified reward in Heaven, having heard the consoling words of the Master, "Well done, thou good and faithful servant!"

CHEEKTOWAGA TOWN BOARD

Kenneth T. Hanley
Town Clerk

DATED: May 5, 1958

Item No. 22 Moved by Councilman Trejanoski, seconded by
Councilman Kornecki, to adjourn.

SEAL

KENNETH T. HANLEY
Town Clerk

Kenneth T. Hanley

MEETING NO. 13CHEEKTOWAGA, NEW YORK
May 19, 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 19th day of May, 1958, at 7:30 o'clock P.M., E.D.S.T., there were

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

ABSENT: -0-

Also present were: Town Clerk Hanley; Town Attorney Delakunt; Assistant Engineer Shialer, and Chief of Police Hermann.

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 Chief of Police communication from the Town Health Officer relating to premises located at No. Creek Road being unfit to be occupied.

43
18

Item No. 4 Referred to the Chief of Police the permit for erecting a portable W 96 SLOW SCHOOL signs at the intersection of Cleveland Drive and Poisset Avenue.

18
41

Item No. 5 Referred to the Board for study the petition against the erection of a foot bridge between Victoria Boulevard and Alexander Street.

17

Item No. 6 Referred to the Board for study the petition in favor of a foot bridge at Alexander Street and Victoria Boulevard.

17

Item No. 7 Referred to the Board and the Town Engineer the petition against the installation of sidewalks on Mayfair Court.

17
25

Item No. 8 Referred to the Petitions Committee the petition against a trailer camp on Sagg Road, near Aero Drive.

17
42

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

WHEREAS, R. Affrunti Construction Co., Inc., has entered into an agreement with the Town of Cheektowaga, New York, wherein the said R. Affrunti Construction Co., Inc., has agreed to construct the following described highways:

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. 12, Township 11, Range 7 of the Holland Land Company's Survey, and according to a Map of Cornell Estates filed in the Erie County Clerk's Office under Cover No. 2069 and further described as follows:

Item No. 9-Cont'd.

COMMENCING at the intersection of the North line of Subdivision Lot No. One Hundred Sixty-two (162) and the South line of George Urban Boulevard; running thence Southerly Two Hundred Nine-one (291) feet more or less on Bernice Drive to the South line of Subdivision Lot No. one hundred sixty-six (166) as shown on said map; and thence westerly on Joseph Street from the intersection of the West line of Bernice Drive and the East line of Subdivision Lot No. Seventy-nine (79) as shown on said Map, a distance of Seven Hundred Seven and Forty-three Hundredths (707.43) feet, more or less to the West line of Subdivision Lot No. Ninety (90), as shown on said Map.

A copy of the map filed under Cover No. 2069 is attached hereto and made a part hereof.

and

WHEREAS, R. Affrunti Construction Co., Inc., has agreed to construct the said highways and complete the same so that said highways will conform in every respect with the specifications of the Town Highway Department, subject to inspection by the Town Highway Superintendent as the work progresses, a total distance of approximately Nine Hundred Ninety-eight and Forty-three Hundredths (998.43) feet, and has agreed to install curbing for the entire distance, and has filed as security for the faithful performance of said agreement a surety bond in the sum of Twelve Thousand (\$12,000.00) 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 the Town of Cheektowaga, New York and R. Affrunti Construction Co., Inc., on behalf of the Town of Cheektowaga, New York, 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 Town Highway Superintendent, that the Town Attorney be and he hereby is authorized to accept a deed to the Town of Cheektowaga for said highway and that the Town Clerk be and he hereby is authorized to record same.

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 Trejanecki	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

AGREEMENT

This Agreement made this 19th day of May, 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 R. AFFRONTI CONSTRUCTION CO., INC., a 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 3236 Genesee Street, Cheektowaga 25, New York, party of the second part:

WITNESSETH:

WHEREAS, the party of the second part is the owner of the abutting property on Bernice Drive and Joseph Street, commencing at the intersection of the North line of Subdivision Lot No. One Hundred Sixty-two (162) and the South Line of George Urban Boulevard; running thence Southerly Two Hundred Ninety-one (291) feet, more or less on Bernice Drive to the South line of Subdivision Lot No.

Item No. 9-Cont'd.

One Hundred Sixty-six (166) as shown on said map; and thence westerly on Joseph Street from the intersection of the West line of Bernice Drive and the East line of Subdivision Lot No. Seventy-nine (79) as shown on said Map, a distance of Seven Hundred Seven and Forty-three Hundredths (707.43) feet, more or less to the West line of Subdivision Lot No. Ninety (90), as shown on said Map, and

WHEREAS, the party of the second part has agreed to construct the entire highways 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 highways and will pay the Erie County Water Authority the cost thereof, and has further agreed to construct curbing for the entire distance of said highways, and

WHEREAS, the party of the second part has requested the Town of Cheektowaga to accept as town highways Bernice Drive and Joseph Street, commencing at the intersection of the North line of Subdivision Lot No. One Hundred Sixty-two (162) and the South line of George Urban Boulevard; running thence Southerly Two Hundred Ninety-one (291) feet, more or less on Bernice Drive to the South line of Subdivision Lot No. One Hundred Sixty-six (166) as shown on said Map; and thence Westerly on Joseph Street from the intersection of the West line of Bernice Drive and the East line of Subdivision Lot No. Seventy-nine (79) as shown on said Map, a distance of Seven Hundred Seven and Forty-three Hundredths (707.43) feet, more or less to the West line of Subdivision Lot No. Ninety (90), as shown on said Map, and has agreed to enter into a contract with the Town of Cheektowaga to construct said highways under the supervision of the Town Highway Department 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 construct two highways to be known as Bernice Drive and Joseph Street, as above described, on or before May 19, 1959. It further agrees to construct said highways and complete the same, under the supervision of the Town Highway Superintendent, 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 \$12,000.00, 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 May 19, 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 second part fails to live up to the terms of this Agreement, 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 \$12,000.00 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 said bond is to continue in effect for one (1) year after the completion of the construction and acceptance of the highways by the Town Highway Superintendent, it is however,

AGREED, that the maximum liability of the Surety Company is limited to the sum of Twelve Thousand (\$12,000.00) Dollars.

Item No. 9-Cont'd.

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 and subject to the above mentioned provisions for one year after approval of the completed proposal by 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: S/S Benedict T. Holts
Supervisor

R. AFFRONTI CONSTRUCTION CO., INC.

By: S/S Russell Affrunti, Pres.

33
13

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

WHEREAS, bids were received for one (1) Police Servi-Car, and

WHEREAS, the lowest bid submitted was that of Nadler Harley-Davidson Sales of 984 Jefferson Avenue, Buffalo, New York, in the amount of \$1,745.90, less allowance for 1953 Servi-Car in the amount of \$295.90, for a total of \$1,450.00.

BE IT RESOLVED, that the bid of Nadler Harley-Davidson Sales in the amount of \$1,450.00 be accepted and that the Supervisor be authorized to enter into a contract for the purchase of said police servi-car; that he also be authorized to execute and deliver to Nadler Harley-Davidson Sales a bill of sale for one police servi-car, for which credit of \$295.90 has been granted, leaving a net balance due for the purchase of said police servi-car in the amount of \$1,450.00.

Seconded by Councilman Trojanoski 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-

18

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

WHEREAS, this Town Board has heretofore determined it to be in the public interest to improve the following highways, by the construction of a permanent pavement, together with the construction of curbs and the installation of receivers and all necessary underground drains, together with all other appurtenant work in accordance with the contract documents, so as to benefit the property owners on the hereinafter described highways:

Cedar Road - commencing at Eggert Road, extending in an easterly and southerly direction to Tudor Road.

Tudor Road - commencing at Eggert Road, extending in an easterly and northerly direction to Cedar Road.

Campbell Road - commencing at Cedar Road, extending in a southerly and easterly direction to Tudor Road.

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.

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

Item No. 11-Cont'd.

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 2nd day of June, 1958, at 2:30 o'clock P.M., Eastern Standard Time, and be it further

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

NOTICE TO CONTRACTORS

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of Cheektowaga, Erie County, New York, sealed proposals will be received and considered by said Town Board on the 2nd day of June, 1958, at 2:30 p.m., E.D.S.T., 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 18,700 square yards of pavement, 12,320 lineal feet of concrete curb construction, 1,335 lineal feet of 24 inch, 1,315 lineal feet of 18 inch, 230 lineal feet of 15 inch, and 575 lineal feet of 12 inch storm sewers in Cedar Road, Tudor Road and Campbell Road, Town of Cheektowaga, Erie County, New York, including manholes, receivers, and other appurtenant work in accordance with the contract documents therefor, 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 documents may be obtained upon payment of \$30.00. Any bidder, upon returning said 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.

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

Dated: May 19, 1958
Published: May 22, 1958

Item No. 11-Cont'd.

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

Supervisor Holts	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Dystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kernecki	Voting AYE
Councilman Path	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

Hereto attached is a copy of the Notice published in the DEPEW HERALD-CHEEKTOWAGA NEWS:

29 A

STATE OF NEW YORK
COUNTY OF ERIE

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 2nd day of June, 1958, at 2:30 p.m., E.D.S.T., 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 18,700 square yards of pavement, 12,320 lineal feet of concrete curb construction, 1,335 lineal feet of 24 inch, 1,315 lineal feet of 18 inch, 230 lineal feet of 15 inch.

Dutton's

- Custom-Made Draperies
- Ready-Made Draperies
- Kitchen Cates
- Bath Mat Removables
- Matching Bedspread Drapes
- Shower Curtains and Drapes
- Cotton Throw Rugs
- Linens
- Aprons and Towel Sets
- Decorative Table Pillows
- Acrylic Blankets
- Guest Towel Sets

32 W. MAIN ST., LANCASTER
Phone RE 3801

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 22nd day of May, 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

1958

19

Kurt T. Hanley
Notary Public in and for Erie County

Item No. 11-Cont'd.

Seconded by Councilman Kernecki 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 Trejanoski	Voting AYE
Councilman Kernecki	Voting AYE
Councilman Path	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

Hereto attached is a copy of the Notice published in the DEPEW HERALD-CHEEKTOWAGA NEWS:

29 A

STATE OF NEW YORK
COUNTY OF ERIE

ss.:

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 2nd day of June, 1958, at 2:30 p.m., E.D.S.T., 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 18,700 square yards of pavement, 12,320 lineal feet of concrete curb construction, 1,335 lineal feet of 24 inch, 1,315 lineal feet of 18 inch, 230 lineal feet of 15 inch, and 575 lineal feet of 12 inch storm sewers in Cedar Road, Tudor Road and Campbell Road, Town of Cheektowaga, Erie County, New York, including manholes, receiving pits, and other appurtenant work in accordance with the contract documents, therefor, 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.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Plans 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 documents may be obtained upon payment of \$30.00. Any bidder, upon returning said 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.

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.

Dated: May 19, 1958.

KENNETH T. HANLEY,
my22 Town Clerk

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

WHEREAS, the Town Highway Department has requested the Town Board to purchase two (2) trucks, 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 two (2) trucks, to meet the specifications referred to in the Notice to Bidders, and be it further

RESOLVED, that the Town Clerk publish the annexed Notice to Bidders in the DEPEW HERALD 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 2:30 o'clock P.M., on June 2, 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 that sealed bids be received for the purchase of two (2) trucks, 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 2:30 o'clock P.M., on June 2, 1958, at which time they will be publicly opened by the Town Board at a public hearing 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: May 19, 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 Weibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -7-

NOES: --0-

ABSENT: -0-

Hereto attached is a copy of the Notice published in the DEPEW HERALD-CHEEKTOWAGA NEWS:

Item No. 12-Cont'd.

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE

ss.:

NOTICE TO BIDDERS
The Town of Cheektowaga hereby gives notice that sealed bids be received for the purpose of two (2) trucks, 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 2:30 o'clock P. M., on June 2, 1958, at which time they will be publicly opened by the Town Board at a public hearing 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: May 19, 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

..... 22nd day of May 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

..... MAY 27 1958 19.....

Kenneth T. Hanley
Notary Public in and for Erie County

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

WHEREAS, a written petition was duly filed with this Board for the improvement of both sides of Peoria Street, commencing at William Street to Stradtman Street, a distance of approximately 2620 feet, being the entire length of said street, by the construction of curbs, together with the installation of receivers and necessary underground drains; (Said highway is now paved for its entire length), and

WHEREAS, it duly appears that such petition has been signed by owners of real property fronting and abutting on both sides of said public highway to be improved as above described, owning at least one-half of the entire frontage or bounds on both sides of the highway to be so improved, and signed by resident owners owning not less than one-half of the frontage owned by resident owners residing along said highway to be so improved, and

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

WHEREAS, the maximum amount proposed to be expended for the improvement of said highway as stated in the petition is the sum of Fourteen Thousand Dollars (\$14,000.00).

NOW, THEREFORE,

Pursuant to the provisions of Section 200 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 2nd day of June, 1958, at 2:30 o'clock P.M., Eastern Daylight Saving Time, for the purpose of considering the said petition and hearing all persons interested in the subject thereof concerning the same, and

BE IT RESOLVED, 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 Town of Cheektowaga, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that the Town Clerk post conspicuously or cause to be posted conspicuously, certified copies of this resolution and order in five (5) public places along both sides of said highway to be improved, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing.

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 Fath	Voting AYE
Councilman Neibert	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

Posted as follows on the 23rd day of May, 1958:

- 1 - Telephone Pole No. 116 - Peoria Street;
- 2 - Telephone Pole No. 6 - Peoria Street;
- 3 - Telephone Pole No. 3 - Peoria Street;
- 4 - Telephone Pole No. 30 - Peoria Street;
- 5 - Telephone Pole at the corner of Peoria Street and William Street.

Hereto attached is a copy of the Notice published in the DEPEW HERALD-CHEEKTOWAGA NEWS:

17
29-A

Item No. 13-Cont'd.

AFFIDAVIT

STATE OF NEW YORK
County of Erie
City of Cheektowaga, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that the Town Clerk post conspicuously or cause to be posted conspicuously, certified copies of this resolution and order in five (5) public places along both sides of said highway to be improved, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing.
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 Fath voting aye
Councilman Neibert voting aye
Councilman Trojanoski voting aye
Kiss Rita T. Jankowski
Kozlowski-Jankowski
couple will reside at 83 Harting
After a motor trip to Florida, the
bride and Richard Kozlowski
Louis J. Kurek Jr., brother of the
Was, brother of the bridegroom.
week

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 *Monday* of *May* 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

19.....
Kurt Hanly
Notary Public in and for Erie County

STATE OF NEW YORK
COUNTY OF ERIE

ss.:

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

EXTRACTS FROM
MINUTES OF TOWN BOARD

At a regular meeting of the
the Town of
Town Hall, cor-
Union Road,
Cheektowaga, on
June 2nd, 1958, at 7:30
P.M., Eastern Daylight Sav-
ing Time, there were:

Richard G. Bennett, Supervisor
Joseph A. Wroblewski, Councilman
Joseph A. Bystrak, Councilman
Abraham Fath, Councilman
Joseph A. Neibert, Councilman
Joseph Trojanowski, Councilman
Joseph Kornecki, Councilman
Absent: 0

Councilman Wroblewski present-
ed the following resolution and
moved its adoption:

WHEREAS, a written petition
was duly filed with this Board for
the improvement of both sides of
Fisher Street, commencing at Wil-
liam Street to Stradtman Street, a
distance of approximately 2620
feet, being the entire length of said
street, by the construction of curbs,
together with the installation of re-
cesses and necessary underground
drainage (said highway is now paved
for its entire length), and

WHEREAS, it duly appears that
said petition has been signed by
owners of real property fronting
said street on both sides of said
highway to be improved as
described, owning at least
one-half of the frontage of
the lots on both sides of the high-
way to be so improved, and signed
by resident owners owning not less
than one-half of the frontage owned
by resident owners residing along
said highway to be so improved,
and

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

WHEREAS, the maximum
amount proposed to be expended
for the improvement of said high-
way as stated in the petition is the
sum of Fourteen Thousand Dollars
(\$14,000.00),

NOW, THEREFORE,

Pursuant to the provisions of
Section 200 of the Town Law of
the State of New York, it is here-
by

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 2nd day of June, 1958, at 2:30
o'clock P.M., Eastern Daylight Sav-
ing Time, for the purpose of consid-
ering the said petition and hearing
all persons interested in the sub-
ject thereof concerning the same,
and

BE IT RESOLVED, that the Town
Clerk be and he hereby is ordered
and directed to publish a certified
copy of this resolution and order
in the DEFEW HERALD AND
CHEEKTOWAGA NEWS, a news-
paper published and having a gen-
eral circulation in the Town of
Cheektowaga, not less than ten (10)
nor more than twenty (20) days
prior to the date of the hearing,
and that the Town Clerk post con-
spicuously or cause to be posted
conspicuously, certified copies of
this resolution and order in five
(5) public places along both sides
of said highway to be improved,
not less than ten (10) nor more
than twenty (20) days prior to the
date of the hearing.

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

Supervisor Holtz voting aye
Councilman Wroblewski voting aye
Councilman Bystrak voting aye
Councilman Fath voting aye
Councilman Neibert voting aye
Councilman Trojanowski voting aye
Councilman Kornecki voting aye
Ayes: 7; Noes: 0; Absent: 0

Item No. 13-Cont'd.

AFFIDAVIT

paper published and having a general circulation in the Town of Cheektowaga, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that the Town Clerk post conspicuously or cause to be posted conspicuously, certified copies of this resolution and order in five (5) public places along both sides of said highway to be improved, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing.

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 Fath voting aye
Councilman Neibert voting aye
Councilman Trojanoski voting aye
Councilman Kornecki voting aye
Ayes: 7; Noes: 0; Absent: 0.
State of New York)
County of Erie)

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 May 19, 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-93, 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 19th day of May, 1958.

my22 KENNETH T. HANLEY
Town Clerk

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

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

WHEREAS, a written petition was duly filed with this Board for the improvement of both sides of Mansion street, commencing at William Street to Stradtman Street, a distance of approximately 2443 feet, being the entire length of said street, by the construction of curbs, together with the installation of receivers and necessary underground drains; (said highway is now paved for its entire length), and

WHEREAS, it duly appears that such petition has been signed by owners of real property fronting and abutting on both sides of said public highway to be improved as above described, owning at least one-half of the entire frontage or bounds on both sides of the highway to be so improved, and signed by resident owners owning not less than one-half of the frontage owned by resident owners residing along said highway to be so improved, and

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

WHEREAS, the maximum amount proposed to be expended for the improvement of said highway as stated in the petition is the sum of Fourteen Thousand Dollars (\$14,000.00),

NOW, THEREFORE,

Pursuant to the provisions of Section 200 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 2nd day of June, 1958, at 2:30 o'clock P.M., Eastern Daylight Saving Time, for the purpose of considering the said petition and hearing all persons interested in the subject thereof concerning the same, and

BE IT RESOLVED, 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 Town of Cheektowaga, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that the Town Clerk post conspicuously or cause to be posted conspicuously, certified copies of this resolution and order in five (5) public places along both sides of the highway to be improved, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing.

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

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

AYES: -7-

NOES: -0-

ABSENT: -0-

Posted as follows on the 23rd day of May, 1958:

- 1 - Telephone pole at the corner of Mansion St. and William St;
- 2 - Telephone pole No. 5 - Mansion Street;
- 3 - Telephone pole No. 6 - Mansion Street;
- 4 - Telephone pole No. 4 - Mansion Street;
- 5 - Telephone pole No. 1 - Mansion Street.

Hereto attached is a copy of the Notice published in the DEPEW HERALD-CHEEKTOWAGA NEWS:

17
29 A

Item No. 14-Cont'd.

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE

ss.:

LEGAL NOTICE

Supervisor Holtz, voting Aye
Councilman Wroblewski,Councilman Bystrak, voting Aye
Councilman Fath, voting Aye
Councilman Neibert, voting Aye
Councilman Trojanoski, voting Aye
Councilman Kornecki, voting Aye
AYES: 7; NOES: 0; ABSENT: 0.
State of New York
County of ErieI, KENNETH T. HANLEY, Town
Clerk of the Town hereinafter de-
scribed, 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 May 19, 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-94, 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 WHERE-
OF, I have hereunto set
my hand and have here-
unto affixed the corpor-
ate seal of said Town, this
19th day of May, 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 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
..... *2nd* day of *May* 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

MAY 27 1958, 19.....

Kenneth T. Hanley
Notary Public in and for Erie County

Item No. 14-Cont'd.

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE

ss.:

LEGAL NOTICE
EXTRACTS FROM MINUTES
OF TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga, on the 19th day of May, 1958, at 7:30 o'clock P. M., Eastern Daylight Saving Time, there were:

PRESENT—

Benedict T. Holtz, Supervisor
Felix T. Wroblewski, Councilman
Stanley R. Bystrak, Councilman
Aladdin Fath, Councilman
Joseph A. Neibert, Councilman
Joseph Trojanoski, Councilman
Joseph Kornecki, Councilman

ABSENT—

—0—
Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, a written petition was duly filed with this Board for the improvement of both sides of Mansion Street, commencing at William Street to Stradman Street, a distance of approximately 2443 feet, being the entire length of said street, by the construction of curbs, together with the installation of receivers and necessary underground drains; (Said highway is now paved for its entire length), and

WHEREAS, it duly appears that such petition has been signed by owners of real property fronting and abutting on both sides of said public highway to be improved as above described, owning at least one-half of the entire frontage or bounds on both sides of the highway to be so improved, and signed by a resident owners owning not less than one-half of the frontage owned by resident owners residing along said highway to be so improved, and

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

WHEREAS, the maximum amount proposed to be expended for the improvement of said highway as stated in the petition is the sum of Fourteen Thousand Dollars (\$14,000.00),

NOW, THEREFORE,

Pursuant to the provisions of Section 280 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 2nd day of June, 1958, at 2:30 o'clock P. M., Eastern Daylight Saving Time, for the purpose of considering the said petition and hearing all persons interested in the subject thereof concerning the same, and

BE IT RESOLVED, that the Town Clerk be and he hereby 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 Town of Cheektowaga, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that the Town Clerk post conspicuously or cause to be posted conspicuously, certified copies of this resolution and order in five (5) public places along both sides of the highway to be improved, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing.

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 Fath, voting Aye
Councilman Neibert, voting Aye
Councilman Trojanoski, voting Aye
Councilman Kornecki, voting Aye
AYES: 7; NOES: 0; ABSENT: 0.

State of New York)
County of Erie)

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 May 19, 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-94, inclusive of said page No.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

Item No. 14-Cont'd.

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE

ss.:

Supervisor Holtz, voting Aye
Councilman Wroblewski,Councilman Bystrak, voting Aye
Councilman Fath, voting Aye
Councilman Neibert, voting Aye
Councilman Trojanoski, voting Aye
Councilman Kornecki, voting Aye
AYES: 7; NOES: 0; ABSENT: 0.
State of New York)
County of Erie)

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

I, KENNETH T. HANLEY, Town
Clerk of the Town hereinafter de-
scribed, 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 May 19, 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-94, 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 WHERE-
OF, I have hereunto set
my hand and have here-
unto affixed the corpor-
ate seal of said Town, this
19th day of May, 1958.

(seal)
KENNETH T. HANLEY,
Town Clerk

my22

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

BOND RESOLUTION, DATED MAY 19th, 1958, AUTHORIZING THE ISSUANCE OF \$12,200 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE CONSTRUCTION OF CURBS ON WARSAW STREET.

- - - - -

WHEREAS, this Town Board has undertaken the construction of curbs and the installation of necessary underground drains, for the improvement of both sides of Warsaw Street, from William Street north approximately 1030 feet to the south property line of the Forest Materials, Inc., property, and such purpose is a special improvement authorized by Article 12 of the Town Law of New York; NOW, THEREFORE,

BE IT RESOLVED by the Town Board of the Town of Cheektowaga, New York, 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 \$12,200, 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 curbs and the installation of necessary underground drains, for the improvement of both sides of Warsaw Street, from William Street north approximately 1030 feet to the south property line of the Forest Materials, Inc. property, in accordance with the resolution adopted by the Town Board of said Town on May 5, 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 such improvement shall confer upon the same.

Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board, is \$12,200 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

Section 5. It is hereby determined that said purpose is an object or purpose described in Subdivision 20 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is ten years.

Section 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 spend money, or the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution of New York.

Item No. 15-Cont'd.

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 said Town.

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

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

Supervisor Helts	Voting AYE
Councilman Heibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Fath	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

Councilman Wroblewski presented the following resolution and moved its adoption:

BOND ANTICIPATION NOTE RESOLUTION, DATED MAY 19th, 1958, AUTHORIZING THE ISSUANCE OF \$12,200 BOND ANTICIPATION NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW.

- - - - -

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

Section 1. The Town of Cheektowaga, in the County of Erie, New York, shall issue its Bond Anticipation Notes of the aggregate principal amount of Twelve Thousand Two Hundred Dollars (\$12,200), pursuant to the Local Finance Law of New York, in order to finance the specific object or purpose hereinafter described, in anticipation of the issuance of Twelve Thousand Two Hundred Dollars (\$12,200) Serial Bonds authorized by the bond resolution entitled "Bond Resolution, Dated May 19, 1958, Authorizing the Issuance of \$12,200 Serial Bonds of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law, to Finance Construction of Curbs on Warsaw Street."

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution, is the construction of curbs and the installation of necessary underground drains, for the improvement of both sides of Warsaw Street, from William Street north approximately 1030 feet to the south property line of the Forest Materials, Inc. property, in accordance with the resolution adopted by the Town Board of said Town on May 5, 1958.

Section 3. As required by said Local Finance Law, it is hereby stated that (a) there are no outstanding Bond Anticipation Notes issued in anticipation of the sale of said Serial Bonds, and (b) the notes authorized by this resolution are not renewal notes, and (c) the notes authorized by this resolution shall mature within one year from the date of their issue.

Section 4. The power to prescribe the terms, form and contents of said Bond Anticipation Notes, subject to the provisions of this resolution, and to sell and deliver said Bond Anticipation Notes, is hereby delegated to the Supervisor. The Supervisor is hereby directed to sign any bond anticipation notes issued pursuant to this resolution and the Town Clerk is hereby directed to affix to such notes the corporate seal of the Town of Cheektowaga, New York.

Item No. 15-Cont'd.

Section 5. This resolution shall take effect immediately upon its adoption.

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 Fath	Voting AYE
Councilman Neibert	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

Hereto attached is a copy of the Notice published in the DEPEW HERALD-CHEEKTOWAGA NEWS:

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29 A

Item No. 15-Cont'd.

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE

ss.:

not authorized to do so, or the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or if said obligations are authorized in violation of the provision 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 §100 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.

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

The bond resolution published herewith has been adopted.

If such were authorized for an effect 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 con-

on in local business
and is now kept in the

CHESTER M. KRAWCZYK
~~RECEIVED BY THE TOWN~~

being duly sworn, deposes and says that he is the

ASSOCIATE PUBLISHER

of the

Depew Cheektowaga
Herald and News

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 31st day of July 1958, and the last insertion being on the day of 19....., and that not more than six days intervened between any two publications thereof.

Chester M. Krawczyk

Sworn to before me this day of

August, 19 *58*

Kevin T. Harty

Notary Public in and for Erie County

hn 1086

STATE OF NEW YORK
COUNTY OF ERIE

BOND RESOLUTION
JULY 21, 1958, AUTHORIZING
THE ISSUANCE OF \$12,200 SERIAL
BONDS OF THE TOWN OF
CHEEKTOWAGA IN THE
COUNTY OF ERIE, PURSUANT
TO THE LOCAL FINANCE LAW,
TO FINANCE CONSTRUCTION
OF CURBS ON WARSAW
STREET

WHEREAS, this Town Board has undertaken the construction of curbs and the installation of necessary underground drains, for the improvement of both sides of Warsaw Street, from William Street north approximately 1030 feet to the south property line of the Forest Materials, Inc. property, and such purpose is a special improvement authorized by Article 12 of the Town Law of New York; NOW, THEREFORE,

BE IT RESOLVED by the Town Board of the Town of Cheektowaga, New York, 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 \$12,200, 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 curbs and the installation of necessary underground drains for the improvement of both sides of Warsaw Street, from William Street north approximately 1030 feet to the south property line of the Forest Materials, Inc. property, in accordance with the resolution adopted by the Town Board of said Town on May 5, 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 such improvement shall confer upon the same.

Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board, is \$12,200, and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefited real property in an amount less than the area of said Town.

Section 5. It is hereby determined that said purpose is an object or purpose described in Subdivision 24 of Paragraph (a) of Section 11.80 of the Local Finance Law, and that the period of probable usefulness of said purpose is five years.

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

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

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

The bond resolution published herewith has been adopted on the 21st day of July, 1958.

Section 10. 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

CHESTER M. KRAWCZYK
ASSOCIATE PUBLISHER

being duly sworn, deposes and says that he is the

ASSOCIATE PUBLISHER of the

Depew Cheektowaga
Herald and News

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for ~~one~~ week, the first insertion being on the 31st day of July, 1958, and the last insertion being on the day of 19, and that not more than six days intervened between any two publications thereof.

day of

1958

public in and for Erie County

Item No. 16 Moved by Councilman Kornecki, seconded by Councilman Neibert, that the Chairman of the Petitions Committee, Councilman Wroblewski and the Building Inspector be authorized and directed to attend a Building Inspectors Convention at Lake Placid, New York, on June 1 through 4, 1958, inclusive.

AYES: -7-

NOES: -0-

ABSENT: -0-

31
42

Item No. 17 Moved by Councilman Neibert, seconded by Councilman Kornecki, that the request of Dr. Louis Vendetti, Town Health Officer, to attend the New York State Public Health Conference at Rochester, New York, on June 8 to June 12, 1958, inclusive, be granted.

AYES: -7-

NOES: -0-

ABSENT: -0-

43
42

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

RESOLVE, to request the New York State Traffic Department to study the feasibility of installing signal traffic lights at the both sections of Harlem Road and Broadway in Cheektowaga. It has been the scene of many accidents, some fatal; therefore, we feel that proposed signal lights will help alleviate the traffic hazard.

Seconded by Councilman Kornecki.

AYES: -7-

NOES: -0-

ABSENT: -0-

8
41

Item No. 19 Moved by Councilman Wroblewski, seconded by Councilman Neibert, that the Erie County Highway Superintendent be requested to grant the Town of Cheektowaga permission to erect a traffic signal light on Cayuga Road, at the entrance to the Twin Coach Corporation Parking Lot.

AYES: -7-

NOES: -0-

ABSENT: -0-

9
41

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
Duchess Court

FROM TO
Beach Road End of Street

TYPE OF STREET LIGHTING INSTALLATION
3 Y 19 Standards-Under Ground Conduit-4000 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:

Item No. 20-Cont'd.

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
Duchess Court	Beach Road	End of Street

TYPE OF STREET LIGHTING INSTALLATION

3 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

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 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 Neibert	Voting AYE
Councilman Bystrak	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

17
27

Item No. 21 Moved by Councilman Bystrak, seconded by Councilman Wroblewski, that the Supervisor be authorized and directed to purchase from the Westinghouse Manufacturing Corporation three (3) Y 19 Ornamental Lighting Standards to be used in Duchess Court Special Street Lighting District.

AYES: -7-

NOES: -0-

ABSENT: -0-

27

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

RESOLVED, that the Niagara Mohawk Power Corporation be authorized to remove the present 1348 lighting standard located on the east side at the north end of Ivanhoe Road and to install a 4000 lumen light on existing pole on the west side of Ivanhoe at the end of said street.

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-

27

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

RESOLVED, that the New York State Electric and Gas Corporation be authorized to install on poles 8-2 and 8-4, situate in Park Street (south of Zubrick) 2500 lumen globe type lights and that a 2500 lumen globe type light be installed on existing pole No. 80 situate in front of 1221 Como Park Blvd., and be it further

RESOLVED, that the New York State Electric and Gas Corporation be authorized to install a 2500 lumen globe type light on existing pole No. 8 in Broad Street.

Seconded by Councilman Fath 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. 24 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 May, 1958

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
Farmingdale Road	Fairhaven Drive	Yorktown Road

TYPE OF STREET LIGHTING INSTALLATION

5 Y 19 standards-under ground conduit-2500 lumen

WHEREAS, Edward J. Jerzewski and Andres 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

Item No. 24-Cont'd.

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 2nd day of June, 1958, at 2:30 P.M., Eastern Daylight Saving Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the Cheektowaga Times, 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:

Supervisor Holtz	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-

Posted as follows on the 23rd day of May, 1958:

- 1 - Post at the corner of Farmingdale Road and Fairhaven Drive;
- 2 - Post in front of No. 170 Farmingdale Road;
- 3 - Post in front of No. 191 Farmingdale Road;
- 4 - Post in front of No. 182 Farmingdale Road;
- 5 - Post at the corner of Farmingdale Road and Yorktown Road.

Hereto attached is a copy of the Notice published in the CHEEKTOWAGA TIMES:

17
27

Item No. 24-Cont'd.

AFFIDAVIT

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one week; first publication MAY 22 1958; last publication MAY 22 1958; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

day of MAY 28 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

AFFIDAVIT

Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, in said Town of Cheektowaga, on the 19th day of May, 1958, at 7:30 o'clock P. M., Eastern Daylight Saving 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

ABSENT: None (0).

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 May, 1958.

**PUBLIC HIGHWAYS
TO BE IMPROVED
NAMES OF HIGHWAYS**

Farmingdale Road

FROM

Fairhaven Drive

TO

Yorktown Road

**TYPE OF STREET LIGHTING
INSTALLATION**

5 Y 19 standards underground conduit 2500 lumen.

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 2nd day of June, 1958, at 2:30 P. M., Eastern Daylight Saving Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the Cheektowaga Times, 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:

Supervisor Holtz 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.

STATE OF NEW YORK)
ERIE COUNTY)

OFFICE OF THE CLERK) ss:

OF THE TOWN OF)

CHEEKTOWAGA)

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 19th day of May, 1958, and that the same is a correct and true transcript of such original resolution and the whole thereof.

(S E A L)

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 19th day of May, 1958.

KENNETH T. HANLEY

Clerk of the Town

Board, Town of

Cheektowaga, N. Y.

(Publish: May 22, 1958)

Item No. 25

NOTICE OF PUBLIC HEARING
ON A PROPOSED ORDINANCE OF THE
TOWN OF CHEEKTOWAGA, NEW YORK
AS SET FORTH HEREIN

LEGAL NOTICE IS HEREBY GIVEN that pursuant to Section 130 of the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Cheektowaga adopted May 19, 1958, the said Town Board will hold a public hearing at the Town Hall, corner of Broadway and Union Road, Town of Cheektowaga, on the 16th day of June, 1958, at 7:30 o'clock P.M., Eastern Daylight Saving Time, to hear all interested parties and citizens for or against the adoption of a proposed ordinance to concern Air Pollution, a copy of which may be obtained at the Office of the Town Clerk.

TOWN BOARD OF THE
TOWN OF CHEEKTOWAGA, NEW YORK

By S/S Kenneth T. Hanley
TOWN CLERK

Dated: May 19, 1958
Published: May 29, 1958.

Posted as follows on the 29th day of May, 1958:

1 - Town Hall Bulletin Board.

Hereto attached is a copy of the Notice published
in the DEPEW HERALD-CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES:

33
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Item No. 25-Cont'd.

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE

NOTICE OF PUBLIC HEARING
ON A PROPOSED ORDINANCE
OF THE TOWN OF CHEEKTOWAGA,
NEW YORK AS SET
FORTH HEREIN.

LEGAL NOTICE IS HEREBY
GIVEN that pursuant to Section
130 of the Town Law of the State
of New York, and pursuant to a
resolution of the Town Board of
the Town of Cheektowaga adopted
May 19, 1958, the said Town Board
will hold a public hearing at the
Town Hall, corner of Broadway and
Union Road, Town of Cheektowaga,
on the 16th day of June, 1958, at
7:30 o'clock P.M., Eastern Daylight
Savings Time, to hear all interested
parties and citizens for or against
the adoption of a proposed ordi-
nance to concern Air Pollution, a
copy of which may be obtained at
the Office of the Town Clerk.
Dated: May 19, 1958.

TOWN BOARD OF THE TOWN
OF CHEEKTOWAGA, N. Y.
by KENNETH T. HANLEY,
Town Clerk

being duly sworn,

Depew
Hera

a public newspaper
towaga, Erie County
annexed printed slip
was inserted and

... three ... we
... 19th ... day of
the last insertion be

more than six days
cations thereof
Richard

Sworn to before me this 19 day of June
1958
Ken T. Hanley
Notary Public in and for Erie County

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

WILLARD C. ALLIS, of the Town of Cheekto-
waga, in said County of Erie, being duly sworn,
deposes and says that he is the publisher of the
Cheektowaga Times, a public newspaper pub-
lished weekly in said Town; that the notice, of
which the annexed printed slip, taken from said
newspaper is a copy, was inserted and published
in said paper once a week for three weeks;
first publication May 29, 1958;
last publication June 12, 1958;
and that no more than six days intervened be-
tween publications.

Willard C. Allis

Sworn to before me this 12th

day of June, 1958

Evel J. Allis

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

EVEL J. ALLIS
NOTARY PUBLIC, STATE OF NEW YORK
Qualified in Erie County
My Commission Expires March 30, 1959
Registered No. 5029

Page No. 25-Cont'd.

HEARING ON A PROPOSED ORDINANCE OF THE TOWN OF CHEEKTOWAGA, NEW YORK AS SET FORTH HEREIN

LEGAL NOTICE IS HEREBY GIVEN that pursuant to Section 130 of the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Cheektowaga adopted May 19, 1958, the said Town Board will hold a public hearing at the Town Hall, corner of Broadway and Union Road, Town of Cheektowaga, on the 16th day of June, 1958, at 7:30 o'clock P.M., Eastern Daylight Saving Time, to hear all interested parties and citizens for or against the adoption of a proposed ordinance to concern Air Pollution, a copy of which may be obtained at the Office of the Town Clerk.

TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, NEW YORK

By Kenneth T. Hanley
Town Clerk

Dated: May 19, 1958.

(Publish: May 29; June 5, 12)

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE

NOTICE OF PUBLIC HEARING
ON A PROPOSED ORDINANCE
OF THE TOWN OF CHEEKTOWAGA,
NEW YORK AS SET
FORTH HEREIN.

LEGAL NOTICE IS HEREBY
GIVEN that pursuant to Section
130 of the Town Law of the State
of New York, and pursuant to a
resolution of the Town Board of
the Town of Cheektowaga adopted
May 19, 1958, the said Town Board
will hold a public hearing at the
Town Hall, corner of Broadway and
Union Road, Town of Cheektowaga,
on the 18th day of June, 1958, at
7:30 o'clock P.M., Eastern Daylight
Savings Time, to hear all interested
parties and citizens for or against
the adoption of a proposed ordi-
nance to concern Air Pollution, a
copy of which may be obtained at
the Office of the Town Clerk.
Dated: May 19, 1958.

TOWN BOARD OF THE TOWN
OF CHEEKTOWAGA, N. Y.
by KENNETH T. HANLEY,
my29je5-12 Town Clerk

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga
Herald and News

a public newspaper published at Depew, Town of Cheek-
towaga, Erie County, New York, that notice of which the
annexed printed slip taken from said newspaper, is a copy,
was inserted and published therein once a week for
... *three* ... weeks, the first insertion being on the
... *19th* day of ... *May* ... 1958, and
the last insertion being on the ... *12th* day of
... *June* ... 1958, and that not
more than six days intervened between any two publi-
cations thereof

Richard G. Bennett

Sworn to before me this *19* day of

June 1958
Kenneth T. Hanley
Notary Public in and for Erie County

Item No. 26 This being the time and the place advertised for a public hearing for the purpose of considering the advisability of re-adopting Section 24 of the Zoning Ordinance of the Town of Cheektowaga, known and identified as "CERTIFICATE OF OCCUPANCY AND COMPLIANCE,"

The Town Clerk presented proof that the Notice of Hearing has been duly published and posted as required by law.

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

Councilman Bystrak was granted the floor and requested that in the last line of the proposed Ordinance that the words, "Town Board" be stricken out, relating to the Board that the Building Inspector was capable of handling the situation in regard to enforcement of the Ordinance.

Supervisor Holtz disagreed on the fee of \$5.00 to be paid for each Occupancy Permit.

The Town Clerk also disagreed on the \$5.00 fee.

Councilman Kornecki moved that the Ordinance be adopted as is.

Dr. Victor Reinstein was granted the floor and related to the Board that the Town Board should stay in the picture.

Councilman Fath requested that the decision be tabled until the next regular meeting.

Councilman Bystrak requested that the Ordinance be adopted at this time with the exception that the "Town Board" be stricken from the Ordinance.

On a motion of Councilman Fath, seconded by Councilman Trojanoski, the decision was reserved until June 2, 1958, at 2:30 P.M., E.D.S.T., duly put to a vote which resulted as follows:

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

AYES: -5-

NAYES: -2-

CARRIED

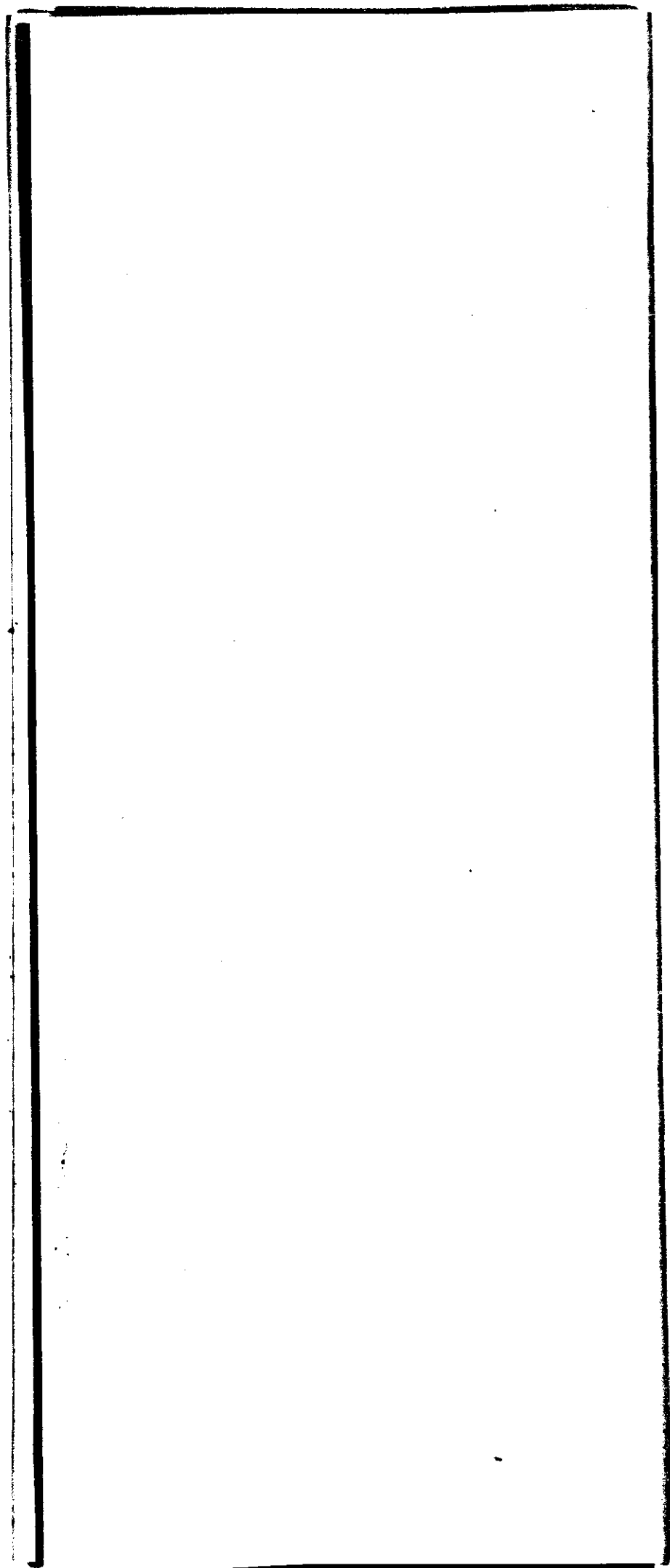
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Item No. 27 This being the time and the place advertised for the receiving of sealed proposals for furnishing all materials, tools, equipment, and together with all labor for the construction of approximately 345 lineal feet of 8-inch diameter pipe on Union Road and 990 lineal feet of 8-inch diameter pipe on Goering Avenue in Sanitary Sewer District No. 7, including manholes, wye branches, raiser pipes and other appurtenant work in accordance with the Contract Documents, therefor, including Plans, Specifications, Instructions to Bidders, prepared by Nussbaumer, Clarke & Velzy, Consulting Engineers to the Town of Cheektowaga.

Moved by Councilman Trojanoski, seconded by Councilman Neibert that the Town Clerk be authorized and directed to open and read the sealed bids on hand.

Hereto is a summary of the bids received:

Item No. 27-Cont'd.



BID SUMMARY

UNION ROAD & GEORING AVENUE

TOWN OF CHEEKTOWAGA, NY

SANITARY SEWER DIST

BID ITEM NO.	DESCRIPTION			CMH. CO. INC.		STRACO INC.		URBAN CONTR. CO.		SERGI BROS. INC.		DEPLAN CONTR. INC.			
		AMT.	UNIT	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL
1	8' VTP 8-10' DEPTH	385	LF	2.75	1058.75	300	1155.00	290	1116.30	525	2021.25	543	2090.55		
	10-12' DEPTH	275	LF	3.25	893.75	320	880.00	310	852.50	625	1718.75	553	*1520.75 1537.34		
	12-14' DEPTH	330	LF	4.25	1402.50	380	1254.00	340	1122.00	725	2392.50	563	1857.90		
	14-16' DEPTH	310	LF	5.50	1705.00	490	1514.00	405	1255.50	825	2557.50	573	1776.30		
	16-18' DEPTH	35	LF	6.00	210.00	270	304.50	480	168.00	925	323.75	583	*204.05 204.50		
TOTAL FOR BID ITEM NO. 1					5270.00		5112.50		4514.50		9013.75		*7449.55 7466.14		
2	STANDARD MH FROM 0-8' DEPTH	4	EA	210.00	840.00	250.00	1000.00	280.00	1120.00	250.00	1000.00	320.00	1280.00		
3	ADDITIONAL MH DEPTH OVER 8'	16	LF	30.00	480.00	36.00	576.00	40.00	640.00	35.00	560.00	50.00	800.00		
4	SELECT MATERIAL BACKFILL	475	Cu Yd	3.50	1662.50	300	1425.00	400	1900.00	400	1900.00	600	2850.00		
5	CONCRETE CRADLE	1335	LF	0.90	1201.50	100	1335.00	200	2670.00	400	5340.00	300	4005.00		
6	MANHOLE BRANCHES	15	EA	4.50	67.50	320	48.00	650	*97.50 975.00	10.00	150.00	500	75.00		
7	2 INCH DIAM RISER PIPE	75	LF	2.00	150.00	150	112.50	150	112.50	300	225.00	1000	750.00		
8	CONCRETE PAVEMENT REPLACEMENT	12	Sq Yd	5.00	60.00	400	48.00	600	72.00	700	84.00	300	36.00		
9	CONCRETE PAVEMENT REPLACEMENT	7	Sq Yd	10.00	70.00	700	63.00	1000	70.00	900	63.00	3000	210.00		
TOTAL BID AMOUNT ITEM NO. 1 TO NO. 9 INCL.					*9,801.50		*9,720.00		*11,196.50 12,074.00		18,335.75		*17,459.55 17,472.14		

BID SECURITY

AETNA CASUALTY

MARYLAND CAS. CO.

AETNA CASUALTY

AMERICAN SURETY

AMERICAN SURETY

* INDICATES CORRECTED FIGURE

BID OPENING

DATE

TIME

PLACE

EDS

NUSSBAUMER CLARKE & VELTZ

CONSULTING ENGINEERS

BUFFALO, NEW YORK

UNION ROAD & GEORING AVENUE TOWN OF CHEEKTOWAGA, NY SANITARY SEWER DISTRICT No. 7

		CMH CO. INC.		STRACO INC.		URBAN CONTR. CO.		SERGI BROS. INC.		DEPLANE CONTR. INC.							
AMT	UNIT	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL
385	LF	2.75	1058.75	3.00	1155.00	2.90	1116.50	5.25	2021.25	5.43	2090.55						
275	LF	3.25	893.75	3.20	880.00	3.10	852.50	6.25	1718.75	5.53	*1520.75 1537.34						
330	LF	4.25	1402.50	3.80	1254.00	3.40	1122.00	7.25	2392.50	5.63	1867.90						
310	LF	5.50	1705.00	4.90	1519.00	4.05	1255.50	8.25	2557.50	5.73	1776.30						
35	LF	6.00	210.00	3.70	304.50	4.80	168.00	9.25	323.75	5.83	*204.05 204.50						
			5270.00		5112.50		4514.50		9013.75		*7449.55 7466.14						
4	EA	210.00	840.00	250.00	1000.00	280.00	1120.00	250.00	1000.00	320.00	1280.00						
16	LF	30.00	480.00	36.00	576.00	40.00	640.00	35.00	560.00	50.00	800.00						
475	Q/W	3.50	1662.50	3.00	1425.00	4.00	1900.00	4.00	1900.00	6.00	2850.00						
325	LF	0.90	120.50	1.00	1335.00	2.00	2670.00	4.00	5340.00	3.00	4005.00						
15	EA	4.50	67.50	3.20	48.00	6.50	*97.50 975.00	10.00	150.00	5.00	75.00						
75	LF	2.00	150.00	1.50	112.50	1.50	112.50	3.00	225.00	10.00	750.00						
12	S/W	5.00	60.00	4.00	48.00	6.00	72.00	7.00	84.00	3.00	36.00						
NT	T	10.00	70.00	7.00	63.00	10.00	70.00	9.00	63.00	30.00	210.00						
			*9,801.50		*9,720.00		*11,196.50 12,074.00		18,335.75		*17,453.55 17,472.14						

AETNA CASUALTY MARYLAND CAS. CO. AETNA CASUALTY AMERICAN SURETY AMERICAN SURETY

* INDICATES CORRECTED FIGURE

BID OPENING MAY 19, 1958 7:30 PM EDT

NUSSBAUMER CLARKE & VELZY CONSULTING ENGINEERS BUFFALO 9, NEW YORK

Item No. 27-Cont'd.

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: -1-

24

Item No. 28
Wroblewski:

Moved by Councilman Bystrak, seconded by Councilman

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 Walter and Irene Czerwonka 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 and State of New York, being part of Lot No. 33, Township 11 Range 7 of the Holland Land Company's Survey and according to a map filed in Erie County Clerk's Office under Cover No. 894 is known and distinguished as Subdivision Lots Numbers 3, 4, in Walden Ave., and Lot 45 on Ridge Park Ave.

All that tract or parcel situate in the Town of Cheektowaga, County of Erie and the State of New York. Being part of lot Number Thirty Three, 33, township 11, Range seven (7) of the Holland Company's survey and upon a map of Pine Ridge Park, so-called, made by A. Krause & Son filed in the Erie County Clerk's office under Cover No. 894, a distinguished as subdivision lot number Two (2) (Walden Ave.)

AYES: -7-

NOES: -0-

ABSENT: -0-

Posted as follows on the 26th day of May, 1958:

1 - Town Hall Bulletin Board.

19

Item No. 28-Cont'd.

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE

ss.:

That the Zoning Board of Appeals of the Town of Cheektowaga, Erie County, New York, held a public hearing for the purpose of considering the application of Walter and Susan Caserwaka for the rezoning of premises from Residential District to Business District of the property hereinafter described and according to the Zoning Map and Ordinance accordingly, and

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

IT IS SHOWN that the decision of the Zoning Board of Appeals granting the application of the petitioner to remove premises from residen-

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 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 Sunday of May, 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

MAY 27 1958

19____

John T. Bank
Notary Public in and for Erie County

21-23 W. Main

REPK

Item No. 28-Cont'd.

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE

ss.:

NOTICE

Whereas the Zoning Board of the Town of Cheektowaga, New York, held a public hearing for the purpose of considering the application of Walker and [redacted] for the rezoning of [redacted] from Residential District to Business District of the [redacted] hereinafter described and [redacted] the Zoning Map and Ordinance accordingly, and

Whereas the Zoning Board of the Town of Cheektowaga, New York, having rendered its decision regarding the application of [redacted] to rezone from Residential District to Business District of the [redacted] hereinafter described,

And whereas the decision of the Zoning Board of Appeals granting the application of the petition [redacted] from residential district to Business District by [redacted] is hereby confirmed,

It is ORDERED by this Town Board that the Ordinance adopted December 19, 1933, and is now amended [redacted] the same hereby is amended [redacted] the Zoning Map as [redacted] the following description of property from that of Residential District to Business District:

DESCRIPTION

A certain tract or parcel of Land, [redacted] in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. [redacted] Range 7 of the [redacted] Land Company's Survey [redacted] in a map filed in the County Clerk's Office under [redacted] and is known and designated as Subdivision Lots [redacted] & [redacted] in [redacted] Ave., and [redacted] Ridge Park Ave.

Said tract or parcel situate in [redacted] of Cheektowaga County, New York and the State of New York, [redacted] part of lot Number Thirty [redacted] Township 11 Range Seven [redacted] the Holland Company's survey and upon a map of Pine Ridge [redacted] made by A. Krause [redacted] filed in the Erie County Clerk's Office under Cover No. 894, [redacted] as subdivision lot [redacted] Two (2) [redacted] Ave.)

Witness my hand and seal of office this [redacted] day of May, 1934.
KENNETH T. HANLEY
Town Clerk
Town of Cheektowaga, N. Y.

RICHARD G. BENNETT

Item No. 29 Councilman Wroblewski moved, seconded by Councilman Trojanoski, that the Town Clerk be authorized and directed to issue building permits on all applications approved by the Petitions Committee and the Building Inspector, on May 10, 1958, and May 17, 1958.

AYES: -7-

NOES: -0-

ABSENT: -0-

15
35

Item No. 30 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. 1178 to Warrant No. 1319, inclusive, drawn on the Supervisor.

AYES: -7-

NOES: -0-

ABSENT: -0-

6

Item No. 31 Referred to the Assessors the petition for the improvement of Mansion Street by the installation of Curbs, etc.

17
29-A

Item No. 32 Referred to the Assessors the petition for the improvement of Peoria Street by the installation of Curbs, etc.

17
29 A

Item No. 33 The complaint registered by residents of the following highways in regard to the bad state of condition that said highways are in was referred to the Highway Superintendent:

Melcourt Drive, east
Camel Road
Gardenvale Drive
Cloverdale Road
Huth Road

10
13

Item No. 34 At the request of Councilman Trojanoski, the Sidewalk Committee went on record to meet with the Orchard Hill residents in regard to the sidewalk situation in their area, said meeting to take place on June 7, 1958, at 10:30 A.M., in the Council Chambers.

25

Item No. 35 The Supervisor advised the audience that the Board has made no decision relating to the letting out of bids for the Alexander Street Bridge.

Item No. 36 Moved by Councilman Bystrak, seconded by Councilman Fath, to adjourn.

SEAL

KENNETH T. HANLEY
Town Clerk

Kenneth T. Hanley

MEETING NO. 14CHEEKTOWAGA, NEW YORK
June 2, 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 2nd day of June, 1958, at 2:30 o'clock P.M., E.D.S.T., there were:

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

ABSENT:	Alancin M. Fath	Councilman
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Also present were: Town Clerk Hanley; Town Attorney Delahunt; Chief of Police Mersmann; Town Historian Julia Reinstein; Town Engineer Kamm; Building & Plumbing Inspector Trafalski, and Highway Supt. Zablotny.

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 Assessors for a property check the petition for the improvement of Freda Avenue by the installation of street lighting equipment.

17
27

Item No. 4 Moved by Councilman Wroblewski, seconded by Councilman Neibert, that the following be appointed Playground Supervisors (Leadmen) at \$2.00 per hour:

Frank Pry; Matthew Szydowski; Dick Frazer;
Henry Andrzejewski.

Playground Supervisors at \$1.85 per hour:
Leonard Kosobucki; John Pasquerella;
Dominic Catalano; Richard Eichelberger.

Assistant Playground Supervisors at \$1.60 per hour:
Charlotte Goetz; Patricia Mersmann; Donna Schwend;
Patricia Weiss.

AYES: -6-

NOES: -0-

ABSENT: -1-

31
20

Item No. 5 Moved by Councilman Wroblewski, seconded by Councilman Neibert, that Joanne Lichtenthal be appointed Assistant Playground Supervisor at the rate of \$1.60 per hour.

AYES: -6-

NOES: -0-

ABSENT: -1-

31
20

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

WHEREAS, a vacancy exists for the position of Senior Clerk in the Town of Cheektowaga, New York, which position is being occupied by an appointee serving temporarily, and

WHEREAS, the Erie County Civil Service Commission has duly certified that the following named person, namely, Leroy P. Reece, is qualified to serve as Senior Clerk in the Town of Cheektowaga and to fill such vacancy.

Item No. 6-Cont'd.

NOW, THEREFORE,

BE IT RESOLVED, that said Leroy F. Reece be and he hereby is appointed Senior Clerk in the Town of Cheektowaga, Erie County, New York, at a salary of \$3,650.00 per annum, to fill the vacancy now existing.

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 Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

31
20

Item No. 7 Moved by Councilman Kornecki, seconded by Councilman Trojanoski,

RESOLVED, that the resolution presented at May 19, 1958, Town Board Meeting concerning the abolishing of Maintenance Man position be withdrawn, and be it further

RESOLVED, that the position of Maintenance Man be abolished and that Henry Newman be and he hereby is appointed Incinerator Operator at a salary of \$4,600.00 per annum.

AYES: -6-

NOES: -0-

ABSENT: -1-

31
20

Item No. 8 Moved by Councilman Trojanoski, seconded by Councilman Neibert, that the request of Town Historian Julia B. Reinstein to attend a Seminar at Cooperstown, New York, on July 6, 1958, through July 12, 1958, be granted.

AYES: -6-

NOES: -0-

ABSENT: -1-

31
42

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

BE IT RESOLVED AS FOLLOWS:

SECTION ONE: The Town Board of the Town of Cheektowaga does hereby employ Holloway & Company, Certified Public Accountants, to make an annual audit for the Town Board of the Town of Cheektowaga covering the calendar year 1958.

SECTION TWO: The scope of such audit shall be limited to and include only an accounting of all moneys received and disbursed by all town officers and employees, except Justices of the Peace, who received or disbursed any moneys of the town, and shall be limited to and include only an examination of such books, records, receipts, orders, warrants, vouchers and cancelled checks as relate to the receipt or disbursement of moneys by such town officers and employees.

SECTION THREE: The scope of such audit shall also include an examination of the civil and criminal dockets of the Justices of the Peace of the Town of Cheektowaga for the purpose of determining whether all fines and fees therein shown to have been collected have been turned over to the proper officials as required by law.

SECTION FOUR: It is the intent of this Town Board that such audit shall relate solely to an accounting of the cash receipts and disbursements of officers and employees of the Town of Cheektowaga and shall take the place and stead of the annual audit as previously made by the Town Board of the Town of Cheektowaga.

Item No. 9-Cont'd.

SECTION FIVE: The following items are specifically excluded (but do not necessarily constitute the only exceptions) from the scope of such audit:

(a) The functions, correctness, regularity, legality or propriety of the action or non-action of any officer or employee of the Town of Cheektowaga, so far as same do not relate directly to the receiving or disbursing of any moneys of the Town of Cheektowaga.

(b) The correctness, regularity, legality or propriety of the assessment rolls or tax rolls of said Town of Cheektowaga.

(c) The correctness, regularity, legality or propriety of the Police Blotter or other Police Records, informations, warrants, orders, tickets, etc., so far as the same do not relate directly to the receiving or disbursing of any town moneys by any town officers or employees.

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 NAYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE

AYES: -5- NOES: -1- ABSENT: -1-

1
2

Item No. 10 The following resolution was presented by Councilman Wroblewski, who moved its adoption and was seconded by Councilman Trojanoski,

WHEREAS, Holloway & Company has previously been retained by the Town of Cheektowaga in regard to the review of special franchise assessments,

BE IT RESOLVED, that Holloway & Company, Certified Public Accountants, Rand Building, Buffalo, New York, be and they are hereby authorized to assist the Town Attorney in the review and protest of the 1958 special franchise assessments within the Town of Cheektowaga in accordance with letter from Holloway & Company, dated May 6, 1958, a copy of which is made a part of this resolution by reference.

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

3 3

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

WHEREAS, this Town Board on the 5th day of May, 1958, received sealed proposals for the construction of a bridge over Scajaquada Creek at the foot of Alexander Street,

WHEREAS, the Frank C. Huber Company, Inc., was the low bidder in the amount of \$18,620.50, be it

RESOLVED, that the bid be awarded to the said Frank C. Huber Company, Inc., in the amount of \$18,620.50.

Seconded by Councilman Bystrak.

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

1

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

BE IT RESOLVED, that Homeworth Road, commencing at Meadowlawn Road and extending to Powell Road, be changed to Homeworth Parkway.

Seconded by Councilman Neibert.

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

13

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

WHEREAS, in accordance with the Highway Law of the State of New York, a referendum was conducted in the Town of Cheektowaga, New York, on April 29, 1958, which resulted in the approval of the construction and erection of a Town Highway Department Garage, 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 construction 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 ten (10) days before the receipt of bids. That sealed bids be received not later than 7:30 o'clock P.M., on June 16, 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 pursuant to a resolution of the Town Board of the Town of Cheektowaga, County of Erie, State of New York, sealed proposals shall be received and considered by said Town Board on the 16th day of June, 1958, at 7:30 o'clock P.M., Eastern Daylight Saving Time, in the Town Hall in the Town of Cheektowaga, Erie County, New York, for furnishing all materials and equipment, together with all labor to construct and erect a Town Highway Department garage in accordance with the Plans, Specifications, Contract Documents and Instructions to Bidders, prepared by Albert J. Kamm, Town Engineer, and approved by the Town Board of said Town, all of which are on file with the Town Clerk in his office in the Town Hall, where same may be examined during the usual business hours. Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined or secured at the office of the Town Clerk, Cheektowaga, Town Hall, Broadway and Union Road, Cheektowaga 25, New York. One copy of said documents may be obtained upon payment of \$25.00. Any bidder, upon returning such copy in good condition within thirty (30) days following the receipt of bids, will be refunded \$25.00, and any non-bidder upon so returning such copy will be refunded \$15.00.

Each proposal must be accompanied by a certified check or bid bond in the amount of five (5) per cent of the bid, payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga. The bond shall be approved by the Town Attorney.

Proposals shall be submitted in sealed envelopes, plainly marked on the outside "Bid for Construction of Town Highway Garage."

No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

A surety bond by a company satisfactory to the Town Board and in an amount not less than 100% of the contract price will be required of the successful bidder.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive the informalities, make an award to other than the low bidder, should it be in the best interests of the Town, or reject any and all bids.

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

Dated: June 2, 1958
Published: June 5, 1958.

KENNETH T. HANLEY,
Town Clerk

in the Depew Herald-Cheektowaga News:

STATE OF NEW YORK
COUNTY OF ERIE

NOTICE TO BIDDERS
that pursuant to a resolution of the Town Board of the Town of Cheektowaga, County of Erie, State of New York, sealed proposals shall be received and considered by said Town Board on the 16th day of June, 1933, at 7:30 o'clock P.M., Eastern Daylight Saving Time, in the Town Hall in the Town of Cheektowaga, Erie County, New York, for furnishing all materials and equipment, together with all labor to construct and erect a Town Highway Department garage in accordance with the Plans, Specifications, Contract Documents and Instructions to Bidders prepared by Albert J. Kautz, Town Engineer, and approved by the Town Board of said Town, all of which are on file with the Town Clerk in his of-

The regular Bible study class will be conducted by Mrs. Robert Stetson at 8 a.m. Friday.

The following names were announced as delegates to the annual conference of the Methodist Episcopal Church, North Carolina, to be held at the State Hotel, Raleigh, N. C., August 12, 1906, and also Miss Lela Davis, an inactive member of the church.

New officers for the year 1906-07 in the Youth Fellowship have been announced. Sandra Banks is president. Others are as follows: John Lower, vice president; Martha Lowery, secretary; Phil Southworth, treasurer; Sandra Bonnell, publicity; Rita Baine and John Lower, delegates from Raleigh.

New officers for the year 1906-07 in the Youth Fellowship have been announced. Sandra Banks is president. Others are as follows: John Lower, vice president; Martha Lowery, secretary; Phil Southworth, treasurer; Sandra Bonnell, publicity; Rita Baine and John Lower, delegates from Raleigh.

Heinz, Charles, physician; Brown, John; witness; Fred Blake and Carl Wilson and Gunde Shaffer, Ontario fellowships; June Lewis and Judy Southworth, transportation.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHED

Dapew Herald and News **Chicktown**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 5th day of June, 1958, and the last insertion being on the day of 19....., and that not more than six days intervened between any two publications thereof.

ons thereof.

Richard G. Burnett

Sworn to before me this day of

JUN 9 1958

Notary Public in and for Erie County

in the Depew Herald-Cheektowaga News:

STATE OF NEW YORK
COUNTY OF ERIE

ss.:

RICHARD G. BENNETT

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Cheektowaga, County of Erie, New York, sealed proposals shall be received and considered by said Board on the 10th day of June, 1938, at 7:30 o'clock P.M., Eastern Daylight Saving Time, in the Town Hall in the Town of Cheektowaga, Erie County, New York, for furnishing all materials and equipment, together with all labor to construct and erect a Town Highway Department garage in accordance with the Plans, Specifications, Contract Documents and Instructions to Bidders, prepared by J. J. Kania, Town Engineer, and approved by the Town Board of the Town of Cheektowaga, all of which are on file with the Town Clerk in his office in the Town Hall, where same may be examined during the usual business hours. Copies of the proposed contract Documents, Plans, Specifications and Instructions to Bidders may be examined or secured at the office of the Town Clerk, Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga 25, New York. One copy of said documents may be obtained upon payment of \$25.00. Any bidder, upon receipt of such copy in good condition within thirty (30) days following receipt of bids, will be refunded \$25.00, and any non-bidder returning such copy will be refunded \$15.00.

Each proposal must be accompanied by a certified check or bid bond in the amount of five (5) per cent of the bid, payable to the order of Benedict T. Heltz, Supervisor of the Town of Cheektowaga. The bid must be approved by the Town Board.

Proposals shall be submitted in sealed envelopes, plainly marked on the outside "Bid for Construction of Highway Garage".

The bidder may withdraw his bid at any time within thirty (30) days after the date of the opening thereof. The bidder must be bound by a company satisfactory to the Town Board and the amount not less than 100% of the contract price will be required of the successful bidder.

The Town Board reserves the right to consider informal any bid prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informality, make an award to other than the low bidder, should it be in the best interests of the Town, or reject any and all bids.

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

Dated: June 2, 1938.

KENNETH T. HANLEY,
Town Clerk

Item No. 13-Cont'd.

Seconded by Councilman Trojanoski 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

AYES: -6-

NOES: -0-

ABSENT: -1-

/ 3
/ 3

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

WHEREAS, a written petition was duly filed with this Board for the improvement of both sides of Mansion Street for its entire length, commencing at William Street to Stradtman Street, a distance of approximately 2443 feet, by the construction of curbs, together with the installation of receivers and necessary underground drains; (said highway is paved for its entire length) and

WHEREAS, said petition was duly signed by owners of real property constituting the owners of at least one-half of the entire frontage or bounds on both sides of said highway to be improved as aforesaid, and also constituting resident owners owning not less than one-half of the frontage owned by resident owners along both sides of said highway to be improved; and

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

WHEREAS, at a meeting of said Town Board duly called and held on the 19th day of May, 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 such petition, to wit: the sum of Fourteen Thousand Dollars (\$14,000.00), and specifying that the said 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, on the 2nd day of June, 1958, at 2:30 o'clock P.M., Eastern Daylight Saving 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 Town 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 Section 200 of the Town Law of the State of New York, it is hereby

RESOLVED, that this Town Board hereby determines that it is in the public interest to make the improvement petitioned for, to wit: both sides of Mansion Street for its entire length, commencing 2443 feet, by the construction of curbs, together with the installation of receivers and necessary underground drains, and it is further

RESOLVED, that Nussbaumer, Clarke and Velzy, Consulting Engineers for this Town, shall survey said Mansion Street and establish the lines and grades thereof, and shall file such survey, and profile in the Town Clerk's Office, and be it further

RESOLVED, that said Nussbaumer, Clarke and Velzy 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. 14-Cont'd.

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

Supervisor Holts	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Neibert	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

17
29 A

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

WHEREAS, a written petition was duly filed with this Board for the improvement of both sides of Peoria Street for its entire length, commencing at William Street to Stradtman Street, a distance of approximately 2620 feet, by the construction of curbs, together with the installation of receivers and necessary underground drains; (said highway is paved for its entire length) and

WHEREAS, said petition was duly signed by owners of real property constituting the owners of at least one-half of the entire frontage or bounds on both sides of said highway to be improved as aforesaid, and also constituting resident owners owning not less than one-half of the frontage owned by resident owners along both sides of said highway to be improved, and

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

WHEREAS, at a meeting of said Town Board duly called and held on the 19th day of May, 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 such petition, to wit: the sum of Fourteen Thousand Dollars (\$14,000.00), and specifying that the said 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, on the 2nd day of June, 1958, at 2:30 o'clock P.M., Eastern Daylight Saving 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 Town 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 Section 200 of the Town Law of the State of New York, it is hereby

RESOLVED, that this Board hereby determines that it is in the public interest to make the improvement petitioned for, to wit: both sides of Peoria Street for its entire length, commencing at William Street to Stradtman Street, a distance of approximately 2620 feet, by the construction of curbs, together with the installation of receivers and necessary underground drains, and it is further

RESOLVED, that Nussbaumer, Clarke and Velzy, Consulting Engineers for this Town, shall survey said Peoria Street and establish the lines and grades thereof, and shall file such survey and profile in the Town Clerk's Office, and be it further

RESOLVED, that said Nussbaumer, Clarke and Velzy 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 Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Neibert	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

17
29 A

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

WHEREAS, the Erie County Highway Department has approved the erection of portable W96 "Slow School" signs, at the intersection of Cleveland Drive C.R. #141 and Foisset Avenue.

BE IT RESOLVED, that the Supervisor be and he hereby is authorized to contract for the purchase of portable W96 "Slow School" signs and to make payment 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.

Seconded by Councilman Bystrak 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

AYES: -6-

NOES: --0--

ABSENT: -1-

9
41

Item No. 17 Moved by Councilman Wroblewski, seconded by Councilman Trojanoski, that the Erie County Highway Department be requested to grant to the Town of Cheektowaga a permit for the erection of a traffic signal light at the intersection of Harlem Road and Dingen Street, Cheektowaga, New York.

AYES: -6-

NOES: -0-

ABSENT: -1-

9
41

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

RESOLVED, that the Niagara Mohawk Power Corporation be authorized to install in David Street (from Pine Ridge to George Urban Boulevard) 2500 lumen incandescent lamps in pendant type luminaries on Pole Nos. 12, 24, 48, 74, 98, and remove 2500 lumen incandescent lamps in post top type luminaries from Pole Nos. 12, 41, 74, 99.

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

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

AYES: -6-

NOES: -0-

ABSENT: -1-

27

Item No. 19 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 notices 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
FARMINGDALE ROAD	FAIRHAVEN DRIVE	YORKTOWN ROAD

TYPE OF STREET LIGHTING INSTALLATION

5 Y 19 Standards-Underground Conduit-2500 lumens.

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
FARMINGDALE ROAD	FAIRHAVEN DRIVE	YORKTOWN ROAD

TYPE OF STREET LIGHTING INSTALLATION

5 Y 19 Standards-Underground Conduit-2500 lumens.

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

Item No. 19-Cont'd.

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 Wroblewski	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

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 2nd DAY OF JUNE, 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 day of 1958.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND THE SEAL OF SAID TOWN OF CHEEKTOWAGA THIS 2nd DAY OF JUNE, 1958.

SEAL

KENNETH T. HANLEY
TOWN CLERK

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27

Item No. 20 Moved by Councilman Bystrak, seconded by Councilman Neibert, that the Supervisor be authorized and directed to purchase from the Westinghouse Corporation five (5) Y 19 standards to be used in Farmingdale Road Special Street Lighting District.

AYES: -6-

NOES: -0-

ABSENT: -1-

27

Item No. 21 Moved by Councilman Wroblewski, seconded by Councilman Kornecki, that the Sub-Division Map of Park Lane Sub Division 4, 5, and 7, prepared by Krehbiel and Krehbiel, Civil Engineers, be approved and that said sub division map be filed in the Assessors Office.

AYES: -6-

NOES: -0-

ABSENT: -1-

30

Item No. 22 Councilman Wroblewski moved, seconded by Councilman Trojanoski, that the Town Clerk be authorized and directed to issue building permits on all applications approved by the Petitions Committee and the Building Inspector, on May 24, 1958 and May 31, 1958.

AYES: -6-

NOES: -0-

ABSENT: -1-

15
35

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. 1320 to Warrant No. 1393, inclusive, drawn on the Supervisor.

AYES: -6-

NOES: -0-

ABSENT: -1-

6

Item No. 24 This being the time and the place advertised for the receiving of sealed proposals for the purchase of 2 trucks 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 Trojanoski, that the Clerk be authorized and directed to open the sealed bids on hand.

Hereto is a summary of the bids received and read:

- 1 - Dow and Company.....\$14,630.00 for one truck
- 2 - Maier Schule GMC..... 26,969.00 for two trucks

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

1
13

Item No. 25 Referred to the Town Attorney Notice of Hearing Case 17544 before the State of New York Public Service Commission on July 9, 1958, at 10:00 A.M.

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8

Item No. 26 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 18,700 square yards of pavement, 12,320 lineal feet of concrete curb construction, 1,335 lineal feet of 24 inch, 1,315 lineal feet of 18 inch, 230 lineal feet of 15 inch, and 575 lineal feet of 12 inch storm sewers in Cedar Road, Tudor Road and Campbell Road, including manholes, receivers, and other appurtenant work in accordance with the contract documents therefor, including plans, specifications, instructions to bidders, etc., prepared by Nussbaumer Clarke and Velzy, Consulting Engineers for the Town of Cheektowaga, New York.

Moved by Councilman Neibert, seconded by Councilman Wroblewski that the Town Clerk be authorized and directed to open the sealed bids on hand.

Hereto attached is a summary of the bids received:

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29-A



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

BID TABULATION - CEDAR ROAD, TUDOR ROAD & CAMPBELL ROAD - TOWN OF CHEEKTOWAGA PAVEMENT, CURB

BID ITEM NO.	DESCRIPTION			GEORGE ROETZNER		ERIE PAVING		A.B.C. PAVING CO.		M.C. MORGAN CONTRACTORS INC.		B. & C. CONSTRUCTION CO., INC.		TWIN VILLAGE CONST. CORP.		DERHAM BEALS & MILLER	
		AMT	UNIT	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL
1	PAVEMENT CONSTRUCTION	18,700	SY	\$ 3.04	\$56,848.00	\$ 3.55	\$66,385.00	\$ 3.80	\$71,060.00	NOT	INDICATED	\$ 4.00	\$74,800.00	\$ 4.00	\$74,800.00	\$ 3.80	\$71,060.00
2	CURB CONSTRUCTION	12,320	LF	2.85	35,112.00	3.30	40,656.00	3.45	42,504.00	3.00	36,960.00	3.45	42,504.00	3.75	46,200.00	3.50	43,120.00
3	10" CONCRETE PIPE O-6' DEPTH	500	LF	NOT ITEMIZED		2.62	1,310.00	2.90	1,450.00	3.00	1,500.00	2.85	1,425.00	3.35	1,675.00	4.00	2,000.00
	12" R.C.P. O-6' DEPTH	576	LF		3.78	2,177.28	3.50	2,016.00	4.00	2,304.00	3.45	1,987.20	4.50	2,592.00	5.00	2,880.00	
	15" R.C.P. O-6' DEPTH	104	LF		4.62	480.48	4.20	436.80	5.00	520.00	4.15	431.60	5.00	520.00	5.50	572.00	
	15" R.C.P. 6-8' DEPTH	125	LF		4.62	577.50	4.45	556.25	5.00	625.00	4.40	550.00	5.35	668.75	6.00	750.00	
	18" R.C.P. O-6' DEPTH	200	LF		5.66	1,132.00	5.15	1,030.00	6.00	1,200.00	5.10	1,020.00	5.75	1,150.00	7.00	1,400.00	
	18" R.C.P. 6-8' DEPTH	114	LF		5.67	6,316.38	5.45	6,071.30	6.00	*6,684.00	5.40	*6,015.00	6.25	6,962.50	7.00	7,700.00	
	24" R.C.P. O-6' DEPTH	845	LF		7.98	6,743.10	7.45	6,295.25	9.00	7,605.00	7.45	6,295.25	7.50	6,337.50	9.00	7,605.00	
	24" R.C.P. 6-8' DEPTH	490	LF	8.14	3,988.60	7.75	3,797.50	9.00	*4,410.00	7.75	3,797.50	8.00	3,920.00	9.50	4,655.00		
	TOTAL AMOUNT FOR BID ITEM 3.				22,703.00		22,725.34		21,653.10		*24,848.00		21,522.15		23,825.75		*27,660.00
4	STANDARD MAN HOLE O-6' DEPTH	13	EA	200.00	2,600.00	175.00	2,275.00	170.00	2,210.00	200.00	2,600.00	170.00	2,210.00	275.00	3,575.00	300.00	3,900.00
5	ADDITIONAL DEPTH M.H. OVER 6' DEPTH	5	LF	20.00	100.00	25.00	125.00	30.00	150.00	NOT	INDICATED	30.00	150.00	25.00	125.00	40.00	200.00
6	RECEIVERS	29	EA	165.00	4,785.00	190.00	5,510.00	160.00	4,640.00	200.00	*5,800.00	185.00	5,365.00	190.00	5,510.00	200.00	5,800.00
7	CONCRETE DRIVE REPLACEMENT	700	SY	5.22	3,654.00	6.00	4,200.00	5.00	3,500.00	6.00	4,200.00	6.00	4,200.00	7.00	4,900.00	5.40	3,780.00
8	CONCRETE WALK REPLACEMENT	6000	SF	0.52	3,120.00	.55	3,300.00	.55	3,300.00	.60	3,600.00	.65	3,900.00	.50	3,000.00	.55	3,300.00
9	SELECT BACKFILL MATERIAL	3,200	CY	2.75	8,800.00	3.50	11,200.00	3.00	9,600.00	4.00	12,800.00	3.50	11,200.00	2.75	8,800.00	3.00	9,600.00
TOTAL BID ITEMS NO. 1 TO NO. 9 INCL.					\$ 137,122.00		\$ 156,376.34		\$ 158,671.10		\$ 159,005.00		\$ 165,851.15		\$ 170,735.75		*176,842.00

BID SECURITY	\$9,500.00 NEW AMSTERDAM CASUALTY CO.	\$8,500.00 NEW AMSTERDAM CASUALTY CO.	\$7,500.00 NEW AMSTERDAM CASUALTY CO.	\$10,500.00 AETNA CASUALTY & SURETY COMPANY	\$7,500.00 NEW AMSTERDAM CASUALTY CO.	\$10,000.00 THE TRAVELERS INDEMNITY CO.	\$3,000.00 PEOPLES INSURANCE COMPANY
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*INDICATES CORRECTED FIGURE

BID RECEIVED JUNE 2, 1958 2:30 PM

NUSSBAUMER CLARKE & VEZDY CONSULTING ENGINEERS BUFFALO 9, NEW YORK

AR ROAD, TUDOR ROAD & CAMPBELL ROAD - TOWN OF CHEEKTOWAGA PAVEMENT, CURB & STORM SEWERS

			GEORGE ROETZNER		ERIE PAVING		A.B.C. PAVING CO.		M.C. MORGAN CONTRACTORS, INC.		B. & C. CONSTRUCTION CO., INC.		TWIN VILLAGE CONST. CORP.		DERSAM BEALS & MILLER		STRACO, INC.		URBAN CONTRACTING CO.	
			UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL
DN	18,700	SY	*3.04	*56,848.00	*3.55	*66,385.00	*3.80	*71,060.00	NOT	INDICATED	*4.00	*74,800.00	*4.00	*74,800.00	*3.80	*71,060.00	*4.00	*74,800.00	*6.00	*118,200.00
	12,320	LF	2.85	35,112.00	3.30	40,656.00	3.45	42,504.00	3.00	36,960.00	3.45	42,504.00	3.75	46,200.00	3.50	43,120.00	3.70	45,584.00	4.50	51,408.00
6' DEPTH	500	LF			2.62	1,310.00	2.90	1,450.00	3.00	1,500.00	2.85	1,425.00	3.35	1,675.00	4.00	2,000.00	3.65	1,825.00	2.85	1,425.00
TH	576	LF			3.78	2,177.28	3.50	2,016.00	4.00	2,304.00	3.45	1,987.20	4.50	2,592.00	5.00	2,880.00	4.25	2,498.00	4.20	2,184.00
TH	104	LF			4.62	480.48	4.20	436.80	5.00	520.00	4.15	431.60	5.00	520.00	5.50	572.00	4.95	514.80	4.50	468.00
TH	125	LF			4.62	577.50	4.45	556.25	5.00	625.00	4.40	550.00	5.35	668.75	6.00	750.00	5.15	643.75	4.50	468.00
TH	200	LF			5.66	1,132.00	5.15	1,030.00	6.00	1,200.00	5.10	1,020.00	5.75	1,150.00	7.00	1,400.00	5.75	1,150.00	5.55	1,165.50
TH	414	LF			5.67	6,316.38	5.45	6,071.30	6.00	*6,684.00	5.40	*6,015.60	6.25	6,962.50	7.00	7,700.00	6.10	6,685.40	5.35	5,830.50
TH	845	LF			7.98	6,743.10	7.45	6,295.25	9.00	7,605.00	7.45	6,295.25	7.50	6,337.50	9.00	7,605.00	7.90	6,475.50	7.85	6,426.75
TH	490	LF			8.14	3,988.60	7.75	3,797.50	9.00	*4,410.00	7.75	3,797.50	8.00	3,920.00	9.50	7,605.00	8.10	3,699.00	7.85	3,560.25
ITEM 3				22,703.00		22,725.34		21,653.10		*24,846.00		21,522.15		23,825.75		*27,660.00		24,421.45		23,825.75
										21,035.00						32,808.00				
0-6' DEPTH	13	EA	200.00	2,600.00	175.00	2,275.00	170.00	2,210.00	200.00	2,600.00	170.00	2,210.00	275.00	3,575.00	300.00	3,900.00	195.00	2,535.00	175.00	2,275.00
ER 6' DEPTH	5	LF	20.00	100.00	25.00	125.00	30.00	150.00	NOT	INDICATED	30.00	150.00	25.00	125.00	40.00	200.00	34.00	170.00	40.00	200.00
	29	EA	165.00	4,785.00	190.00	5,510.00	160.00	4,640.00	200.00	*5,800.00	185.00	5,365.00	190.00	5,510.00	200.00	5,800.00	150.00	4,500.00	100.00	2,000.00
EMENT	700	SY	5.22	3,654.00	6.00	4,200.00	5.00	3,500.00	6.00	4,200.00	6.00	4,200.00	7.00	4,900.00	5.40	3,780.00	7.50	5,250.00	6.50	4,575.00
EMENT	4000	SF	0.52	3,120.00	.55	3,300.00	.55	3,300.00	.60	3,600.00	.65	3,900.00	.50	3,000.00	.55	3,300.00	.70	4,200.00	.50	2,000.00
2IAL	5200	CV	2.75	8,800.00	3.50	11,200.00	3.00	9,000.00	4.00	12,800.00	3.50	11,200.00	2.75	8,800.00	3.00	9,600.00	4.00	12,800.00	2.00	6,400.00
0.9 INCL.				*137,722.00		*156,376.34		*158,617.10		*159,005.00		*165,951.15		*170,735.75		*169,420.00		173,710.45		*209,442.38
																717,356.09				209,442.38

*9,500.00 NEW AMSTERDAM CASUALTY CO.	*8,500.00 NEW AMSTERDAM CASUALTY CO.	*7,500.00 NEW AMSTERDAM CASUALTY CO.	*10,500.00 ARNA CASUALTY & SURETY COMPANY	*7,500 NEW AMSTERDAM CASUALTY CO.	*10,000.00 THE TRAVELERS INDEMNITY CO.	*3,000.00 PEERLESS INSURANCE COMPANY	*3000.00 MARYLAND CASUALTY CO.	*10,500.00 ARNA CASUALTY & SURETY CO.
--	--	--	---	---	--	--	-----------------------------------	---

BID RECEIVED JUNE 2, 1958 2:30 PM. E.D.S.T.

NUSSBAUMER CLARKE & VELZY CONSULTING ENGINEERS - BUFFALO 9, NEW YORK

A-778

Item No. 27 Councilman Kornecki presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a meeting held June 2nd, 1958, after proper notice of hearing, did meet for the purpose of considering the advisability of readopting Section 24 of the Zoning Ordinance of the Town of Cheektowaga, New York, which was repealed on April 16, 1951, 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 readopt Section 24 of the Zoning Ordinance of the Town of Cheektowaga, which is to provide as follows:

CERTIFICATE OF OCCUPANCY
AND COMPLIANCE

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

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 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 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 NAYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE

AYES: -5-

NOES: -1-

ABSENT: -1-

Item No. 27 Posted on as follows on the _____ day of _____, 1958:

1 - Town Hall Bulletin Board.

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

STATE OF NEW YORK }
COUNTY OF ERIE }

LOCAL NOTICE
At a regular meeting of the
date of its service as against a per-
son served with a copy thereof
certified by the Town Clerk under
the corporate seal of the Town
and showing the date of its pas-
sage and entry into the minutes.
Seconded by Councilman Wro-
blewski 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 Naye
Councilman Trojanoski, voting Aye
Councilman Kornecki, voting Aye
Councilman Fath, Absent
AYES: 5; NOES: 1; ABSENT: 1.
State of New York)
Erie County) as:
Office of the Clerk of the)
Town of Cheektowaga)
This is to certify that I, KEN-
NETH T. HANLEY, Clerk of the
Town of Cheektowaga, in the said
County of Erie, have compared the
foregoing copy of resolution with
the original resolution now on file
at this office, and which was pas-
sed by the Town Board of the Town
of Cheektowaga in said County of
Erie, on the 2nd day of June, 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
(seal) hand and affixed the seal
of said Town this 20th day
of June, 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 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
..... *1st* day of *June* 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 *28* day of

June 19 *58*
Kenneth T. Hanley
Notary Public in and for Erie County

The above notice was posted on the Town Hall Bulletin Board on the
26th day of June, 1958.

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,

RICHARD G. BENNETT

beginning at Daylight

Supervisor
Joseph A. Nelbert, Councilman
Joseph T. Wroblewski, Councilman
Joseph R. Bystrak, Councilman
Joseph Trojanowski, Councilman
Joseph Kornecki, Councilman

Supervisor
Joseph Fath, Councilman
Councilman Kornecki presented
the following resolution and moved
its adoption:

RESOLVED, that the Town Board, at
its meeting held June 2nd, 1958,
after notice of hearing, did
order the purpose of considering
the advisability of readopting
the provisions of the Zoning Ordinance
of the Town of Cheektowaga, New
York, which was repealed on
June 1, 1953, and

RESOLVED, an opportunity was
given all persons interested in
the subject matter to be heard and
the conclusion of said public
hearing the Town Board decided
that it was in the public interest to
repeal Section 24 of the Zoning
Ordinance of the Town of Cheektowaga,
which is to provide as follows:

REPEAL OF OCCUPANCY
AND COMPLIANCE

Any building hereafter structural-
ly altered or erected, shall be used
for the purpose in use, nor premises
thereon, until a certificate
of occupancy and compliance shall
be issued to the effect that
the buildings or premises complied
with the provisions of these ordi-
nances. A like certificate shall be
issued to maintain, renew, change
or extend a non-conforming use.
A certificate of occupancy and
compliance for the whole or part
of a building or premises shall
be issued for compliance with the
provisions for a building or use
which shall be issued within
thirty days after the erection or
alteration of such build-
ing. No such certificate shall have been com-
plied with the provisions of these ordi-
nances. No such certificate shall be issued by the
Town Board until it has been
approved by the Building and
Zoning Department and approved
by the Town Board. A record of
the same shall be kept in the
Town Clerk's Office.

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.

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 reso-
lution and affidavit of the publica-
tion thereof shall be
kept in the Town Clerk's Office.

This ordinance shall take effect
thirty days after such publica-
tion and posting, but such ordi-
nance shall take effect from the
date of its service against a per-
son by the Town Clerk under
the corporate seal of the Town
showing the date of its pas-
sage and entry into the minutes.

Witnessed by Councilman Wro-
blewski and duly put to a vote,

which resulted as follows:
Supervisor Holtz, voting Aye
Councilman Nelbert, voting Aye
Councilman Wroblewski,

Councilman Bystrak voting Naye
Councilman Trojanowski, voting Aye
Councilman Kornecki, voting Aye
Councilman Fath, Absent

AYES: 5; NOES: 1; ABSENT: 1.
State of New York)
Erie County) ss:

Office of the Clerk of the)
Town of Cheektowaga)

This is to certify that I, KEN-
NETH T. HANLEY, Clerk of the
Town of Cheektowaga, in the said
County of Erie, have compared the
foregoing copy of resolution with
the original resolution now on file
at this office, and which was pass-
ed by the Town Board of the Town
of Cheektowaga in said County of
Erie, on the 2nd day of June, 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
(seal) hand and affixed the seal
of said Town this 20th day
of June, 1958.

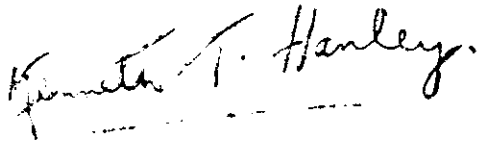
KENNETH T. HANLEY,
Clerk of the Town Board, Town of
Cheektowaga, N. Y.

Item No. 28 Referred to the Board the request of Harold Condon, President of the Hugh Road Taxpayers Association, a request for a water meter in the circle on Hugh Road for the watering of plants and bushes which are kept up by the residents of the area.

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42

Item No. 29 Moved by Councilman Wroblewski, seconded by Councilman Kornecki, to adjourn.

SEAL

KENNETH T. HANLEY
Town Clerk

MEETING NO. 15CHEEKTOWAGA, NEW YORK
JUNE 9, 1958

Item No. 1 At a special meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 9th day of June, 1958, at 6:00 o'clock P.M., E.D.S.T., there were:

PRESENT:	Benedict T. Holtz	Supervisor
	Alancin W. Fath	Councilman
	Felix T. Wroblewski	Councilman
	Joseph M. Trojanoski	Councilman
	Joseph A. Neibert	Councilman

ABSENT:	Stanley R. Bystrak	Councilman
	Joseph Kornecki	Councilman

Also present was Thomas E. Delahunt, Town Attorney.

Due to the absence of Town Clerk Hanley, the Supervisor was designated to act as Clerk for this meeting.

Item No. 2 Moved by Councilman Trojanoski, seconded by Councilman Neibert, that Attorney Kenneth W. Kitzinger be attained as Counsel in regard to the relocation of the Dick Road Crossing, and be it further

RESOLVED, that Nussbaumer, Clarke and Velzy be authorized and directed to survey the Reinstein property on Broadway in relation to the relocation of the Dick Road Crossing.

AYES: -5-

NOES: -0-

ABSENT: -2-

Item No. 3 The Supervisor announced that the Town Board would now take under consideration the proposed construction of Sewer District No. 8 in the Town of Cheektowaga, New York.

Dr. Victor Reinstein of Danforth Place was granted the floor and requested that the Town Board delete 45 acres north of Como Park Boulevard west of the Federal Crushed Stone Quarry up to the Lehigh Valley Railroad to be used as a buffer zone between industry and future residential development.

Dr. Reinstein informed the Board that he would donate 15 acres of land on the south side of Como Park Boulevard for recreational purposes.

The following questions were asked by Dr. Reinstein:

1 - Will Joy Manufacturing Company pay a trunk lateral?
2 - Will the Town pay for the sewer running through its premises?

3 - Will sewer costs be spread on the 1960 tax roll?
4 - Will the Board use plastic watertight joints to prevent leakage into the William Street area?
5 - Will the cost be kept at \$500,000.00?

Supervisor Holtz answered question No. 1 by relating to the Board that industry is ready and willing to pay their share of costs.

Answering Question No. 2, the Supervisor says that the Town should pay the cost of the sewer running through Town property.

Answering Question No. 3, the Board agreed to spread the tax against the District in 1960.

Answering Question No. 4, the Board agreed to plastic watertight joints to being used.

Question No. 5 was unanswered.

Item No. 3-Cont'd.

Councilman Wroblewski recommended that a public hearing be called and that the property owners be consulted as to whom is to be left out of the proposed District.

24

Item No. 4 Moved by Councilman Neibert, seconded by Councilman Trojanoski, to adjourn.

SEAL

BENEDICT T. HOLTZ
Acting Town Clerk

MEETING NO. 16CHEEKTOWAGA, NEW YORK
JUNE 16, 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 16th day of June, 1958, at 7:30 o'clock P.M., Eastern Daylight Saving Time, there were:

PRESENT:	Benadict 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

ABSENT: -0-

Also present were: Town Clerk Hanley; Town Attorney Delahunt; Chief of Police Mermann; Town Engineer A.J. Kamm; Building and Plumbing Inspector Trafalski, and Town Health Officer Dr. Louis Vendetti.

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 Please take notice that Supervisor Heltz was excused from the meeting at 9:00 P.M., and Councilman Wroblewski was designated as Chairman at that time.

Item No. 4 Referred to the Town Attorney the request of the Chief of Police for a new Radio Antenna and a battery charger. 33
18

Item No. 5 Referred to the Town Attorney the communication of Elmer R. Weil, County Attorney, relating to a deed of property on the south side of Dingens Street, approximately 10.352 acres. 33
10

Item No. 6 Referred to the Finance Committee the request of Frank Stahl that employees of the Town be granted a three week vacation with service of seven years or more. 10
31

Item No. 7 Referred to the Town Attorney the petition for the improvement of St. Marys Street by the installation of a permanent highway. 17
13

Item No. 8 Referred to the Town Board the request of the Central Council of Volunteer Firemen for permission to stage the Jas. E. Strate Shows from July 14, 1958 to July 19, 1958 on a site at Harlem Road and Walden Avenue. 10
42

Item No. 9 Referred to the Town Attorney the request of Samuel Gajewski for part-time work in the Town. 33
10

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

WHEREAS, bids were received on May 9th, 1958, for the construction of a lateral sewer on Union Road and Goering Avenue, and

WHEREAS, the lowest bid submitted for the construction of said lateral sewer on Union Road and Goering Avenue was the bid of Straco, Inc., in the amount of \$9,720.00.

BE IT RESOLVED, that the Town of Cheektowaga, New York, accept the bid of Straco, Inc., in the amount of \$9,720.00. That Nussbaumer, Clarke & Velzy, Consulting Engineers for the Town of Cheektowaga, New York, and the Town Attorney prepare the necessary contract documents to be signed by the Contractor and the Town of Cheektowaga, New York, for the work to be done in accordance with the plans and specifications prepared by the Consulting Engineers.

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

Supervisor Holtz	Excused
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: -6-

NOES: -0-
EXCUSED -1-

ABSENT: -0-

1
24

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

WHEREAS, bids were received on June 2nd, 1958, for the construction of permanent pavement, curbing and storm sewers on Cedar Road, Tudor Road, and Campbell Road, and

WHEREAS, the lowest formal bid submitted for the construction of said permanent pavement, curbing and storm sewers on Cedar Road, Tudor Road, and Campbell Road, was the bid of Erie Paving Co., in the amount of \$156,376.34.

BE IT RESOLVED, that the Town of Cheektowaga, New York, accept the bid of Erie Paving co., in the amount of \$156,376.34. That Nussbaumer, Clarke & Velzy, Consulting Engineers for the Town of Cheektowaga, New York, and the Town Attorney prepare the necessary contract documents to be signed by the Contractor and the Town of Cheektowaga, New York, for the work to be done in accordance with the plans and specifications prepared by the Consulting Engineer.

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

Supervisor Holtz	Excused
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: -6-

NOES: -0-
EXCUSED -1-

ABSENT: -0-

1
29A
26

Item No. 12 Councilman Kornecki offered the following resolution and moved its adoption:

WHEREAS, this Town Board on June 2, 1958, duly received and opened bids for the purchase of two (2) four wheel drive trucks with dump bodies and equipment including snow plows with wings, for the use of the Highway Department, and

Item No. 12-Cont'd.

WHEREAS, the lowest responsible bidder offering to furnish said equipment and meeting the specifications therefor was Maier-Schule G.M.C., Inc., of 21 East Jewett Avenue, Buffalo, New York, whose bid was \$13,484.80 each, or a total amount of \$26,969.60, NOW THEREFORE,

BE IT RESOLVED, that contract for the purchase of two (2) four wheel drive trucks with dump bodies and equipment including snow plows with wings, be and the same hereby is awarded to the lowest responsible bidder therefor, to wit: Maier-Schule G.M.C., Inc., at their bid price of \$13,484.80 each, or a total amount of \$26,969.60.

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

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

AYES: -6-

NOES: -0-
EXCUSED -1-

ABSENT: -0-

/3

Item No. 13 The following resolution was offered by Councilman Kornecki who moved its adoption, seconded by Councilman Trojanoski, to wit:

CAPITAL NOTE RESOLUTION DATED JUNE 16, 1958, AUTHORIZING THE ISSUANCE OF \$24,969.60 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 \$24,969.60, 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) four wheel drive trucks with dump bodies, and the equipment thereof, including snow plow with wing, for each truck, at a maximum cost of \$26,969.60.

Section 3. It is hereby stated that (a) the maximum cost of said purpose as estimated by the Town Board is \$26,969.60 (the maximum cost of each truck and its equipment is \$13,484.80), and (b) no money has heretofore been authorized to be applied to the payment of the cost of such purpose other than \$2,000.00 which has been made available therefor by budgetary appropriation, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Capital Notes and by the said budgetary appropriation.

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. 13-Cont'd.

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 are 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 Holts	Excused
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Neibert	Voting AYE
Councilman Fath	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE

AYES: -6-

NOES: -0-
EXCUSED -1-

ABSENT: -0-

Councilman Kornecki 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 \$24,969.60 shall be issued pursuant to the Capital Note Resolution entitled "Capital Note Resolution Dated June 16, 1958, Authorizing the Issuance of \$24,969.60 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 B of 1958." Said Capital Notes shall consist of two notes of the denomination of \$12,484.80 each, numbered 1 and 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 June 16, 1958 and shall bear interest from their date at the rate of 2-1/4% per annum. The interest on the Capital Notes shall be payable on October 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.

Item No. 13-Cont'd.

(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 2-1/4% 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	Excused
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Neibert	Voting AYE
Councilman Fath	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE

AYES: -6-

NOES: -0-
EXCUSED -1-

ABSENT: -0-

Hereto attached is a copy of the Notice published in the DEPEW HERALD-CHEEKTOWAGA NEWS:

12
13

Item No. 13-Cont'd.

(AFFIDAVIT)

STATE OF NEW YORK }
COUNTY OF ERIE }

CAPITAL NOTE RESOLUTION
DATED JUNE 14, 1958, AUTH-
ORIZING THE ISSUANCE OF
\$24,969.00 CAPITAL NOTES OF
THE TOWN OF CHEEKTOWA-
GAGA, IN THE COUNTY OF
ERIE, PURSUANT TO THE
LOCAL FINANCE LAW, TO
FINANCE THE ACQUISITION
OF HIGHWAY MACHINERY.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER of the

Depew Cheektowaga
Herald and News

BE IT RESOLVED by the Town
Board of the Town of Cheektowaga,
Section 7, as follows:

That effect immediately

The Capital Note Resolution
passed herewith has been adopted
on the 16th of June, 1958, and the
validity of the obligations author-
ized 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 provi-
sions 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 contest-
ing 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.

Annual Inspection
of the Military Officers, Cap-
tain Alfred Boyd, 1st Lieutenant
Orlando Combs and 2nd Lieutenant
Ralph Fodda was notified by Reg-
imental Inspector Major Conrad R.
Schmeckeburner, 1st Cavalry Div.

public newspaper published at Depew, Town of Cheek-
waga, Erie County, New York, that notice of which the
annexed printed slip taken from said newspaper, is a copy,
was inserted and published therein once a week for
one week, the first insertion being on the
19th day of June, 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 S. Bennett

JUN 27 1958

Kenneth T. Hanley

Notary Public in and for Erie County

STATE OF NEW YORK
COUNTY OF ERIE

ss: }

CAPITAL NOTE RESOLUTION
DATED JUNE 16, 1938, AUTH-
ORIZING THE ISSUANCE OF
\$25,000 CAPITAL NOTES OF
THE TOWN OF CHEEKTOW-
AGA, IN THE COUNTY OF
ERIE, PURSUANT TO THE
LOCAL FINANCE LAW, TO
FINANCE THE ACQUISITION
OF HIGHWAY MACHINERY.

RICHARD G. BENNETT

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

Section 1. The Town of Cheektowaga,
County of Erie, shall
issue Capital Notes of the aggregate
principal amount of \$25,000.00,
pursuant to the Local Finance Law
of New York, in order to finance
the specific purpose hereinafter de-

scribed. The specific purpose
hereinafter referred to is a "pur-
pose" to be financed by the issue
of such Capital Notes is the
acquisition of machinery or appa-
ratus for highway construction or
maintenance, and consists of the
purchase of two (2) four-wheel
tractors with dump bodies, and
one (1) motor grader, including
thereon with wing, for each
a maximum cost of

Section 2. It is hereby stated
that the maximum cost of said
machinery is estimated by the Town
Board at \$25,000.00 (the maximum
cost of each truck and its equip-
ment is \$13,000.00, and (b) no
such machinery has been author-
ized to be applied to the payment
of any of such purpose other
than \$5,000 which has been made
therefor by budgetary ap-
propriation, and (c) the Town
Board is authorized to finance the cost of
such machinery entirely from funds
derived from the issuance of said Cap-
ital Notes and by the said budg-
etary appropriation.

Section 3. It is hereby determined
that the purpose is an object
permissible as described in Subdivision
1 of paragraph 2 of Section 11.00
of the Local Finance Law, and that
the period of probable usefulness
of such purpose is five years.

Section 4. It is hereby determin-
ed that the proposed maturity of
the obligations authorized by this
resolution will not be in excess of
five years.

Section 5. This resolution shall be
published by the Town Clerk
in a newspaper published and
circulated in the Town of Cheektowaga,
County of Erie, in accordance with the
provisions of Section 8100 of said Local
Finance Law, and such publication
shall be in the Cheektowaga
Herald and Cheektowaga
Herald, a newspaper published and
circulated in said Town.

The validity of said Capital
Notes may be contested only if such
contestation is 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 resolu-
tion 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 are 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 16th of June, 1938, and the
validity of the obligations author-
ized 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 provi-
sions 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 contest-
ing such validity is commenced
within twenty days after the date
of publication of this notice; or
such obligations were authorized in
violation of the provisions of the
Constitution of New York.

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

Item No. 14 Moved by Councilman Fath, seconded by Councilman Wroblewski, that Dennis Weiss be appointed a Recreation Supervisor in the Recreation Department, effective immediately.

AYES: -6-

NOES: -0-
EXCUSED -1-

ABSENT: -0-

31
16

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

WHEREAS, Theodore J. Fridey has entered into an agreement with the Town of Cheektowaga, New York, wherein the said Theodore J. Fridey has agreed to construct the following described highway:

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. 12, Township 11, Range 7 of the Holland Land Company Survey and further distinguished as follows:

COMMENCING at a point at the intersection of the westerly line of Dick Road and the Southerly line of Harris Avenue; running thence westerly along the southerly line of Harris Avenue 792.29 feet to the easterly line of East Avenue; thence running northerly 50 feet to the intersection of the northerly line of Harris Avenue and the easterly line of East Avenue; thence easterly and along the northerly line of Harris Avenue 764.40 feet to the intersection of the northerly line of Harris Avenue and the westerly line of Dick Road; thence southeasterly along the westerly line of Dick Road to the point or place of beginning.

and

WHEREAS, Theodore J. Fridey has agreed to construct the said highway and complete same so that said highway will conform in every respect with the specifications of the Town Highway Department, subject to inspection by the Town Highway Superintendent as the work progresses, a total distance of approximately Seven Hundred Ninety-two and twenty-nine Hundredths (792.29) feet, and has agreed to install curbing for the entire distance, and has filed as security for the faithful performance of said agreement a surety bond in the sum of Ten Thousand (\$10,000.00) 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 the Town of Cheektowaga, New York and Theodore J. Fridey on behalf of the Town of Cheektowaga, New York, 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 a deed to the Town of Cheektowaga for said highway, and that the Town Clerk be and he hereby is authorized to record same.

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

Supervisor Holtz	Excused
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: -6-

NOES: -0-
EXCUSED -1-

ABSENT: -0-

Item No. 15

AGREEMENT

This Agreement made this 16th day of June, 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 THEODORE J. FRIDEY, residing at 35 Kendale 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 Harris Avenue, commencing at the intersection of Dick Road and Harris Avenue and extending in a westerly direction of East Avenue, a distance of approximately Seven Hundred Ninety-two and twenty-nine Hundredths (792.29) feet as shown on a subdivision map filed in the Erie County Clerk's Office under Cover No. 1219, and

WHEREAS, the party of the second part has agreed to construct the entire 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 has further agreed to construct curbing for the entire distance of said highway, and

WHEREAS, the party of the second part has requested the Town of Cheektowaga to accept as a town highway Harris Avenue, commencing at the intersection of Dick Road and Harris Avenue and extending in a westerly direction to East Avenue, a distance of approximately Seven Hundred Ninety-two and Twenty-nine Hundredths (792.29) feet as shown on a Subdivision Map filed in the Erie County Clerk's Office under Cover No. 1219, and has agreed to enter into a contract with the Town of Cheektowaga, to construct said highway under the supervision of the Town Highway Superintendent 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 construct a highway to be known as Harris Avenue, as shown described above, on or before June 16th, 1959. It further agrees to construct said highway and complete the same under the supervision of the Town Highway Superintendent, 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 Ten Thousand (\$10,000.00) Dollars, said Bond is 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 June 16th, 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 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 Ten Thousand (\$10,000.00) Dollars 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 further

AGREED, that said bond is to continue in effect for one (1) year after the completion of the construction and acceptance of the highway by the Town Highway Superintendent, it is however,

Item No. 15-Cont'd.

AGREED, that the maximum liability of the Surety Company is limited to the sum of Ten Thousand (\$10,000.00) 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 and subject to the above mentioned provisions for one year after approval of the completed proposal by 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 _____

Supervisor

S/S Theodore J. Fridley

Theodore J. Fridley

STATE OF NEW YORK)
COUNTY OF ERIE) ss:

On this 16th day of June, 1958, before me personally appeared BENEDICT T. HOLTZ, to me known, who being by me duly sworn, did depose and say that he resides in the Town of Cheektowaga, New York; that he is the Supervisor of said Town, the municipal corporation described in and which executed the within instrument; that he knows the seal of said Town; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Town Board of said Town; and that he signed his name thereto by like order.

Notary Public, Erie County, N.Y.

STATE OF NEW YORK)
COUNTY OF ERIE) ss:

On this 16th day of June, 1958, before me, the subscriber, personally appeared THEODORE J. FRIDEY to me personally known to be the same person described in and who executed the foregoing instrument and he duly acknowledged to me that he executed the same.

S/S Edward F. Maxwell

Notary Public, Erie County, N. Y.

(My Comm. Expires March 31/1960)

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

RESOLVED, that Holloway and Company, Certified Public Accountants, be hereby authorized to render service in connection with planning, executing and supervising the spreading of Special District Assessments for the Town of Cheektowaga for the Tax Year 1959. Said service to be similar to those rendered in prior years.

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

Supervisor Holtz	Excused
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: -6-

NOES: -0-
EXCUSED -1-

ABSENT: -0-

33
13

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. 1394 to Warrant No. 1502, inclusive, drawn on the Supervisor.

ayes; -6-

NOES: -0-
EXCUSED -1-

ABSENT: -0-

6

Item No. 18 Moved by Councilman Wroblewski, seconded by Councilman Trojanoski, that the Town Clerk be authorized and directed to issue all building permits on applications processed by the Petitions Committee on June 7, 1958 and June 14, 1958, after same have been approved by the Building Inspector.

AYES: -6-

NOES: -0-
EXCUSED -1-

ABSENT: -0-

15
35

Item No. 19 Moved by Councilman Bystrak, seconded by Councilman Trojanoski, that the application of Max J. Keating to rezone the following described property from that of a Residential District to a First Industrial District, be denied.

AYES: -6-

NOES: -0-
EXCUSED -1-

ABSENT: -0-

DESCRIPTION

Property located in the Town of Cheektowaga, County of Erie and State of New York, being part of Farm Lot 16, Township 11, Range 7 of the Holland Land Company's Survey, being further bounded and described as follows:

Beginning at a point in the westerly line of Union Rd. 2496.175 feet south of the intersection of the westerly line of Union Rd. and the northerly line of Lot No. 16, running thence west and parallel to the north line of Lot 16 697.63 feet; thence southwest at an angle 89.55 feet, thence east and parallel to the north line of Lot 16 760.30 feet to the west line of Union Rd., thence north along the west line of Union Rd. 63.58 feet to the place of beginning.

19

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

WHEREAS, the Cheektowaga Town Board passed a resolution on June 2nd, 1958, calling for sealed proposals to be received and considered at a meeting of the Town Board held on the 16th day of June, 1958, for the construction and erection of a Town Highway Department Garage; notice of which was published in the Depew Herald and Cheektowaga News on June 5th, 1958, and

WHEREAS, the plans and specifications were not ready at that time for issuance to prospective bidders, and

WHEREAS, it is necessary to republish the Notice to Contractors.

BE IT RESOLVED, that all bids received prior to this meeting be returned, unopened, to the prospective bidders, and be it further

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 ten (10) and not more than twenty (20) days prior to the receipt of bids. That sealed bids be received not later than 2:30 o'clock P.M., Eastern Daylight Saving Time, on July 7th, 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:

Item No. 20-Cont'd.

NOTICE TO CONTRACTORS

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Cheektowaga, County of Erie, State of New York, sealed proposals shall be received and considered by said Town Board on the 7th day of July, 1958, at 2:30 o'clock P.M., Eastern Daylight Saving Time, in the Town Hall in the Town of Cheektowaga, Erie County, New York, for furnishing all materials and equipment, together with all labor to construct and erect a Town Highway Department garage in accordance with the Plans, Specifications, Contract Documents and Instructions to Bidders, prepared by Albert H. Kamm, Town Engineer, and approved by the Town Board of said Town, all of which are on file with the Town Clerk in his office in the Town Hall, where same may be examined during the usual business hours. Copies of the proposed contract Documents, Plans, Specifications, and Instructions to Bidders may be examined or secured at the office of the Town Clerk, Cheektowaga, Town Hall, Broadway and Union Road, Cheektowaga 25, New York. One copy of said documents may be obtained upon payment of \$25.00. Any bidder, upon returning such copy in good condition within thirty (30) days following the receipt of bids, will be refunded \$25.00, and any non-bidder uponso returning such copy will be refunded \$15.00.

Each proposal must be accompanied by a certified check or bid bond in the amount of five (5) per cent of the bid, payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga. The bond shall be approved by the Town Attorney.

Proposals shall be submitted in sealed envelopes, plainly marked on the outside "Bids for Construction of Town Highway Garage."

No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

A surety bond by a company satisfactory to the Town Board and in an amount not less than 100% of the contract price will be required of the successful bidder.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low bidder, should it be in the best interests of the Town, or reject any and all bids.

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

KENNETH T. HANLEY
Town Clerk

Dated: June 16, 1958
Published: June 19, 1958

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

Supervisor Holtz	Excused
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: -6-

NOES: -0-
EXCUSED -1-

ABSENT: -0-

Hereto attached is a copy of the Notice published in the DEPEW HERALD-CHEEKTOWAGA NEWS:

Item No. 20-Cont'd.

(AFFIDAVIT)

STATE OF NEW YORK }
COUNTY OF ERIE }

Each proposal must be accompanied by a certified check or bid bond in the amount of five (5) per cent of the bid, payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga. The bond to be approved by the Town Board. The Board for the Town of Cheektowaga, New York, is hereby notified that the Town Board has approved the proposal of the Town of Cheektowaga, New York, for the purchase of a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 19th day of June, 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

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga
Herald and News

public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 19th day of June, 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
JUN 27 1958

Kurt T. Biele
Notary Public in and for Erie County

STATE OF NEW YORK
COUNTY OF ERIE

ss:.

RICHARD G. BENNETT

Regular meeting of the Town Board of the Town of Cheektowaga, Cheektowaga County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 7th day of June, 1958 at 7:30 P.M., Eastern Daylight Saving Time, there were

Benedict T. Holtz, Supervisor
A. Nelbert, Councilman
J. Wroblewski, Councilman
R. Byszak, Councilman
J. Trojanoski, Councilman
K. Kordecki, Councilman
J. Path, Councilman

—
Councilman Trojanoski presented the following resolution and the adoption:
RESOLVED, the Cheektowaga Town Board passed a resolution on June 10th, 1958, calling for sealed bids to be received and considered at a meeting of the Town Board on the 14th day of June, 1958, for the construction and erection of a Town Highway Department garage; notice of which was published in the Depew Herald and Cheektowaga News on June 5th,

1958, the plans and specifications were not ready at that time for issuance to prospective bidders.

It is necessary to re-issuance of the Notice to Contractors, and to this meeting be postponed to the prospective bidders, and be it further

Resolved, that the Town Clerk be directed to re-issuance of the Notice to Contractors to the Depew Herald and Cheektowaga News, a newspaper having a circulation in said Town of at least ten (10) and not more than twenty (20) days prior to the opening of bids. That sealed bids be received not later than 2:30 P.M., Eastern Daylight Saving Time, on July 7th, 1958, at which time they will be publicly opened by the Town Board at a meeting held for that purpose, at the Town Hall, corner Broadway and Union Road, Cheektowaga, New York.

The Notice to Contractors is substantially the following:

NOTICE TO CONTRACTORS

SEALING IS HEREBY GIVEN pursuant to a resolution of the Board of the Town of Cheektowaga, Cheektowaga County of Erie, State of New York, sealed proposals shall be received and considered by said Board on the 7th day of July, 1958, at 2:30 o'clock P.M., Eastern Daylight Saving Time, in the Town Hall, in the Town of Cheektowaga, Cheektowaga County, New York, for furnishing all materials and equipment together with all labor to construct and erect a Town Highway Department garage in accordance with the Plans, Specifications, Contract Documents and Instructions to Bidders, prepared by Albert J. Kamm, Town Engineer, and approved by the Town Board of said Town, all of which are on file with the Town Clerk in his office in the Town Hall, where same may be examined during the usual business hours. Copies of the proposed contract Documents, Plans, Specifications and Instructions to Bidders may be examined or secured at the office of the Town Clerk, Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga 25, New York. One copy of said documents may be obtained upon payment of \$25.00. Any bidder, upon receiving such copy in good condition within thirty (30) days following the receipt of bids, will be refunded \$25.00, and any non-bidder upon so returning such copy will be refunded \$15.00.

Each proposal must be accompanied by a certified check or bid bond in the amount of five (5) per cent of the bid, payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga. The bond shall be approved by the Town Attorney.

Proposals shall be submitted in sealed envelopes, plainly marked on the outside "Bid for Construction of Town Highway Garage".

No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

A surety bond by a company satisfactory to the Town Board and in an amount not less than 100% of the contract price will be required of the successful bidder.

The Town Board reserves the right to consider informal any bid not received and submitted in good

Item No. 20-Cont'd.

(AFFIDAVIT)

shall be a cash bond or the bond of the amount of five (5) per cent of the bid, payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga. The bond shall be approved by the Town Attorney.

Proposals shall be submitted in sealed envelopes, plainly marked on the outside "Bid for Construction of Town Highway Garage".

The bidder may withdraw his bid within sixty (60) days after the stated date of the opening thereof. A surety bond by a company satisfactory to the Town Board and the amount not less than 100% of the contract price will be required of the successful bidder.

The Town Board reserves the right to consider informal any bid prepared and submitted in accordance with the provisions of the resolutions and contract documents and may waive any informalities as a sword to other bidders, should it be in the interests of the Town, or may reject all bids.

Witness the hand of the Town Board of Cheektowaga, Erie County, New York.

June 15, 1933.

KENNETH T. HANLEY,

Town Clerk

Resolved by Openballot, the following was put to a vote, which was as follows:

Mr. Holtz, moved,

That the Board, voting Aye

and No, voting Aye

and No, voting Aye

and No, voting Aye

and No, voting Aye

and No, voting Aye

and No, voting Aye

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and No, voting Aye

and No, voting Aye

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

and No, voting Aye

and No, voting Aye

and No, voting Aye

and No, voting Aye

and No, voting Aye

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and No, voting Aye

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

WHEREAS, the construction of concrete curbs in Warsaw Street, Mansion Avenue and Peoria Avenue in the Town of Cheektowaga, have been approved by this Town Board, and

WHEREAS, Nussbaumer, Clarke & Velzy, Consulting Engineers for the Town of Cheektowaga, have prepared definite plans and specifications for the concrete curbs and appurtenances to be constructed in said streets, and with the assistance of the Town Attorney, a proposed contract, all of which documents have been examined by this Town Board and approved, and have been duly filed with the Town Clerk, and

WHEREAS, this Town Board desires to receive bids for the said construction work.

NOW, THEREFORE,

BE IT RESOLVED, that bids shall be received and publicly opened and read on July 7th, 1958, at 2:30 o'clock P.M., Eastern Daylight Saving Time, at a meeting of the Town Board held at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, and the Town Clerk is hereby directed to advertise for bids in the DEPEW HERALD-CHEEKTOWAGA NEWS on June 19, 1958, by inserting in said newspaper the following Notice to Contractors:

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 7th day of July, 1958, at 2:30 P.M., EDST, 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 concrete curbs in Warsaw Street from William Street northerly a distance of about 1,030 feet; in Mansion Avenue, running north from William Street to Stradtman Street about 1,365 feet; in Peoria Avenue run north from William Street to Stradtman Street about 1,365 feet, Town of Cheektowaga, Erie County, New York, including receivers and other appurtenant work in accordance with the Contract Documents, therefor, including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer, Clarke & Velzy, Consulting Engineers to 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 documents may be obtained upon payment of \$30.00. Any bidder, upon returning said 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.

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: June 16, 1958
Published: June 19, 1958

Item No. 21-Cont'd.

Hereto attached is a copy of the Notice published
in the DEPEW HERALD-CHEEKTOWAGA NEWS:

1
29A

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 19th day of June, 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

JUN 27 1958

19.....

Wm. J. Hanley

Notary Public in and for Erie County

Item No. 21-Cont'd.

Hereto attached is a copy of the Notice published
in the DEPEW HERALD-CHEEKTOWAGA NEWS:

29A

STATE OF NEW YORK
COUNTY OF ERIE

ss.:

NOTICE TO CONTRACTORS
IN HERBERT CIVIL
pursuant to a resolution of the
Board of Cheektowaga, Erie
New York, sealed proposals
to be received and considered by
Town Board on the 7th day of
JUNE, at 2:30 p.m. EDST, in
Union Hall, Broadway at Union
Cheektowaga, New York for
supplying all materials, tools,
equipment, and together with all
labor for the construction of con-
crete in Warsaw Street from
Mansion Street northerly a distance
of 1330 feet; in Mansion
Street running north from Wil-
son Street to Stradtman Street
a distance of 1330 feet; in Peach Avenue
from Wilson Street to
Mansion Street about 1365 feet,
Cheektowaga, Erie
New York, including re-
pairs and other appurtenant work
connected with the Contract
above specified, including
specifications, instructions,
etc., prepared by Nasm-
an & Veky, Consult-
ing Engineers to the Town of
Cheektowaga, New York, and ap-
proved by the Town Board, all of
which are on file with the Town
Clerk in the Town
Clerk's office at Union Road,
Cheektowaga, New York where the
proposals may be examined during the
business hours.

Under the proposed Contract
the Plans, Specifications,
Instructions to Bidders may
be examined at the office of
Nasmann & Veky, Con-
sulting Engineers, 327 Franklin
Street, New York One
and proposed documents
may be obtained upon payment of
the fee thereon upon returning
the same, within twenty
days after the filing of
the bid, the full
amount of his deposit; non-bidders
may be refunded only one-
half of his deposit.

The Town of Cheektowaga, Erie
New York, reserves the
right to reject any or all bids, or to
accept any informalities, or to make
any award to other than the low bid-
der.

Each proposal must be accom-
panied by a certified check for a
sum equal to five per centum (5%)
of the estimated expense of the to-
tal improvement payable to the
Town of the Supervisor, or a bond
with sufficient sureties, to be ap-
proved 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
execute a contract for the same,
and that he will execute such fur-
ther security as may be required
for the faithful performance of the
Contract.

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.

Dated: June 16, 1958.

KENNETH T. HANLEY,
Town Clerk

Item No. 22 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 16th day of June, 1958.

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
Freda Avenue	Harlem Road	Tillotson Avenue

TYPE OF STREET LIGHTING INSTALLATION

5 Y 19 Standards-Under Ground Conduit - 2500 Lumen.

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

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

NOW, THEREFORE, IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 7th day of July, 1958, at 2:30 P.M., Eastern Daylight Saving Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the 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 Neibert and duly put to a vote, which resulted as follows:

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

AYES: -7-

NOES: -0-

ABSENT: -0-

Item No. 22 Posted as follows on the 24th day of June, 1958:

- 1 - Post in front of No. 66 Freda Avenue;
- 2 - Post in front of No. 58 Freda Avenue;
- 3 - Post in front of No. 39 Freda Avenue;
- 4 - Post in front of No. 18 Freda Avenue;
- 5 - Telephone Pole at the corner of Freda Avenue and Harlem Avenue.

Hereto attached is a copy of the Notice published in the DEPEW HERALD-CHEEKTOWAGA NEWS:

STATE OF NEW YORK

That the following is a true and correct copy of the resolution passed by the Town Board of the Town of Cheektowaga, Erie County, New York, on the 10th day of June, 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 Neilbert, voting Aye
 Councilman Syntak, voting Aye
 Ayes: 7; Noes: 0; Absent: 0

Town of New York

Erie County

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 the office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie on the 10th day of June, 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 10th day of June, 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 19th day of June, 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

JUN 27 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 18th day of June, 1968, at 7:30 o'clock P. M. Eastern Daylight Savings Time, there were:

PRESENT:
 T. Holts, Supervisor
 M. Fath, Counselman
 E. Wroblewski, Counselman
 Kornecki, Counselman
 M. Trojanoski, Counselman
 A. Neibert, Counselman
 R. Bystrak, Counselman

BYSTRAK offered the following resolution and moved its adoption:

RESOLVED, a petition for the improvement of both sides of the highways situated in Con- Lighting District of the Cheektowaga, hereinafter referred to as "the improvement," set forth, by the installation of street lighting equipment, particularly de- presented to this Town on the 18th day of June

TO BE IMPROVED:

From Union Road to

AVENUE

INSTALLATION

Under

SECTION 10-100, ERIE COUNTY

CHAPTER 10-100, ERIE COUNTY

SECTION 10-100, ERIE COUNTY

SECTION 10-100, ERIE COUNTY

SECTION 10-100, ERIE COUNTY

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SECTION 10-100, ERIE COUNTY

RICHARD G. BENNETT

State of New York.

Erie County

Office of the Clerk of the ss:

Town of Cheektowaga

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 18th day of June 1968, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 18th day of June, 1968.

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

Item No. 23 Moved by Councilman Kornecki, seconded by Councilman Neibert, that the application of Triple Interchange, Inc., to rezone certain premises on William Street from that of a Residential District to a First Industrial District, be denied.

19

Item No. 24 This being the time and the place advertised for a public hearing on the proposed adoption of an Ordinance concerning Air Pollution in the Town of Cheektowaga, New York.

The Town Clerk presented proof that the Notice of Hearing has been duly published and posted as required by Law.

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

The following named persons spoke in favor of the proposed Ordinance:

Chester L. Miller., Vice-President of the Beverly Hills Association of the Town of Cheektowaga; Russell Runfola, Attorney for Summer & Company, Cheektowaga; Mr. Stanley Walczak, ; Dr. Louis M. Vendetti, Town Health Officer; Mr. McDonald of the New York State Air Pollution Board; Mr. Michael Stankiewicz of the Erie County Health Department; Various residents in the area of the U. S. Rubber Reclaiming Corporation; Dr. McCabe of Washington, D.C., an Air Pollution expert; Dr. Hess; Mr. Millerschein, and Daniel Tuburske.

No one appeared in opposition.

The Chairman declared the hearing closed and the decision was reserved.

40

Item No. 25 Moved by Councilman Neibert, seconded by Councilman Bystrak, to adjourn.

SEAL

KENNETH T. HANLEY
Town Clerk

Kenneth T. Hanley

Item No. 1 At a Special meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 21st day of June, 1958, at 11:45 o'clock, A.M., Eastern Daylight Saving Time, there were:

PRESENT:	Felix T. Wroblewski	Councilman
	Alancin M. Fath	Councilman
	Joseph Kornecki	Councilman
	Joseph A. Neibert	Councilman
	Joseph M. Trojanoski	Councilman

ABSENT:	Benedict T. Holtz	Supervisor
	Stanley R. Bystrak	Councilman

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

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

Item No. 2 Moved by Councilman Wroblewski, seconded by Councilman Trojanoski that the Reynders Electric Company be authorized and directed to erect a traffic signal at the intersection of Harlem Road and Corey Court as per attached permit and approval of the Erie County Highway Superintendent.

AYES: -5-

NOES: -0-

ABSENT: -2-

9
41

Item No. 3 Moved by Councilman Neibert, seconded by Councilman Wroblewski, that the request of the Central Council of Volunteer Firemen, Cheektowaga, New York, to sponsor the James E. Straates Shows from July 14, 1958, to July 19, 1958, on a site at Harlem Road near Walden Avenue, be granted.

AYES: -5-

NOES: -0-

ABSENT: -2-

10
42

Item No. 4 Moved by Councilman Neibert, seconded by Councilman Kornecki, that the Town Highway Superintendent be authorized and directed to attend the Training School for the N.Y. State Association of Town Highway Superintendents at Cornell University at Ithaca, N. Y., on June 30, 1958, July 1, 1958 and July 2, 1958.

AYES: -5-

NOES: -0-

ABSENT: -2-

12
42

Item No. 5 Moved by Councilman Fath, seconded by Councilman Kornecki, to adjourn.

AYES: -5-

NOES: -0-

ABSENT: -2-

SEAL

KENNETH T. HANLEY,
Town Clerk