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Cheektowaga, Wew York April 7, 1958

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Eric 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
Alancin M. Fath
Felix T. Wroblewski Councilman
Joseph Kornecki Councilman
Joseph M. Trojanoski Councilman
Joseph A. Neibert Councilman
Stanley R. Bystrak Councilman

ABSENT: -O-

Also present were: Town Clerk Henley; Town Attorney Delahunt; Chief of Police Mersmann; 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 Chember.

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 swait 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."

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.

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.

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.

Item No. 7 Moved by Councilman Neibert, seconded by Councilman Bystrak, 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.

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

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 Meved by Councilman Kornecki, seconded by Councilman Meibert, that the following named persons be appointed to the Chaektowaga 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.

310

Item No. 11 Moved by Councilman Kornecki, seconded by Councilman Neibert, that the following be employed as laborers in the Recreation Department on or about April 15, 1958:

Robert Rutkowski for summer vacation William Tyler Bernárd Blasskowiak Frank Schwarts Stanley Burek Fred Dittmar Walter Wosniak Edward Piatwewics A. Ziolowski

31

Item No. 12 Moved by Councilman Kornseki, 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 Albert Ziolkowski Norman Bauer Jack Kirisits Robert Klinshaw Carl Oddo Edward Piatkiewics Ray Meger John Wosmiak Ted Prorok Bernard Richards Ben Blasskowiak Tom Sullivan Joseph Suminski Frank Imiola Frank Joswiak

31

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

RESOLVED, that the street name of Braz 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 negki.

ATES: -7-

MOES: -0-

ABSERT: -O-

13

Item No. 14 Moved by Councilman Neibert, 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.

### Itam No. 14-Coat'd.

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

1. Ochman 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. Mergmann

John F. Hergmann Chief of Police

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

RESOLVED, that Edward H. Pfohl, Receiver of Taxes and Assessments for the Town of Cheektowaga, New York, be authorized and directed to accept taxes from the County of Brie 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 Councilmen Wroblewski Voting AYE Councilmen Meibert Voting AYE Councilmen Bystrak Voting AYE Councilman Kornacki Voting AYE Councilman Trojanoski Voting AYE Councilman Fath Voting AYE

AYES: -7-

HOES: -0ABSENT: **-0-** 38

22

Councilmen Wroblewski presented the following Item No. 16 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 Separintendent, be authorised 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 Councilmen Meibert.

ATES: -7nors: -0ABSENT: -O-

42

Item No. 17 Mr. Bystrak offered the following resolution and moved its adoption:

WHIREAS, a petition for the improvement of both sides of lidated Lighting District of 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

Ħ

# TIPE OF STREET LIGHTING INSTALLATION

FIVE (5) 1-19 Orman ental Standards-Under Ground Conduit-4000 Lu

WHEREAS, Biward B. Jersewski and Andrew H. Schwenk, Assessors of said Town of Checktowaga, 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 on 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,

Board of the Town of Checktowaga meet at the Town Hall in said Town of Checktowaga meet at the Town Hall in said Town of Checktowaga on the Zigt 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 Checktowaga Mews and the Deper Herald-Checktowaga Mews, not less than ten (10) nor more than tenedy (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 Neibert, and duly put to a vote which resulted as follows:

Supervisor Holts V.
Councilmen Fath V.
Councilmen Wroblewski V.
Councilmen Kornecki V.
Councilmen Trojenoski V.
Councilmen Heibert V.
Councilmen Bystrak V. Voting AIR
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Posted as follows on the 16th day of April, 1958

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ABSETT:

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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 Willshire Road.

Attached hereto is a copy of the Motice published in the Deper Herald-Checktownga News:

### AFFIDAVIT

COUNTY OF ERIE	
	RICHARD G. BENNETT
part, and duly put to a vote when the party of the party	being duly sworn, deposes and says that he is the
Espervisor Holts, voting Aye. Comecilman Fath, voting Aye. Comecilman Wroblewski, voting Aye. Swandisman Kornseiti, voting Aye. Lainelman Tritianoski, voting Aye.	PUBLISHER of the
Ayes: 7, Nocs: 0; Alsent: 0	Herald and News
Sant of the Mr.	a public newspaper published at Depew, Town of Cheek-
This is to certify that I, KEN.	towaga, Erie County, New York, that notice of which the
Sounty of Eric Sound	annexed printed slip taken from said newspaper, is a copy,
The release to resolution with	was inserted and published therein once a week for
The Third Parties was passed	OW week , the first insertion being on the
More, on the 7th day of April se	
true transcript of such original	the last insertion being on the day of
have the second of	19, and that not
of said Town the seal res	more than six days intervened between any two publi
RESPIETE T. HANLEY	cations thereof ichaed G. Jump
1010 Town of Cheektowaga, N.Y.	

APR 18 1958

APR 18 1958

Rotary Public in and for Eric County

### AFFIDAVIT

da.

STATE OF NEW YORK COUNTY OF ERIE

there were:

INT:

Inst T. Holtz, Supervisor

Inst T. Holtz, Supervisor

Inst T. Holtz, Councilman

I. Wroblewski, Councilman

I. Trojanoski, Councilman

I. Trojanoski, Councilman

I. Neibert, Councilman

I. Nystrak, Councilman

I. Systrak, Councilman strak offered the fol-solution and moved its

E HIGHWAYS TO BE IMPROVED Symme from Cleveland Wilhing Eood STREET LIGHTING NEGALLATION

(20) days before the date (20) days before the bearing sfore-based conspicuously in five (20) days on each of the said to be improved not less than (20) nor more than twentier days before the day doing for the hearing as aforement, listended by Councilman Neight, and daily put to a vote which suited as follows: upervises Holts, voting Aye ouncilman Fath, voting Aye ouncilman Fath, voting Aye ouncilman Kornecki, voting Aye ouncilman Rornecki, voting Aye ouncilman Rornecki, voting Aye Ouncilman Bystrak, voting Aye Councilman Bystrak, voting Aye Ayes: 7, Noes: 0; Absent: 0

Councilman Bystrak, voting Aye Ayes: 7, Noes: 0; Absent: 0

State of New York

Beie County

Office of the Clork of the ss:

Town of Checktowage

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Checktowage, 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 Checktowaga in said County of Erie, on the 7th day of April 1988, 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 1998.

KENNETH T. HANLEY.

Clerk of the Town Board, 1999.

bearing on the proposed improvement of both sides of the public bightested in the proposed improvement of both sides of the public highests situated in the Consolidated Lighting District of the Town of Checktowag 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 filed.

## PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS

PRINTAY SIEBOAL

TYPE OF STREET LIGHTING INSTALLATION

CLEVELAND DRIVE

THE RMOL LENGTHY

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KIGHT Y-19 STANDARDS 1,000 LUNGH-WIDER GROUND CONDUCT (AMP)

The Supervisor announced that the Town Board would hear all parsons 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 adoptions

WHEREAS, this fown Board has this day held a public hearing on the petition requesting the improvement of both sides of the public highman situated in Consolidated Lighting District of the Town of Cheektowaya hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described.

## PUBLIC HIGHWAYS TO BE IMPROVED

MARIES OF HIGHWAYS

SPIESAY SPROAL CLEVILLAND DRIVE THE RIOT SCHOOL

# TIPE OF STREET LIGHTLIG INSTALLATION

EIGHT 1-19 STANDARDS 1,000 LUMBE-UNDER GROUND CONDUIT (AMP)

and heard all persons interested in the subject thereof.

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

is) that such petition is algued and acknowledged (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 IV FURTHER RESOLVED that such petition is hereby approved and the installation of such street lighting equipment along said shaphways 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 sade 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 IF FURTHER RESOLVED, that the Town Clerk shall cause a certified copy of this resolution to be recorded in the office of the Clerk of Rele 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 Neibert	Voting AYE
Councilmen Pretuek	Voting ATE

AYES: -7-

MOES: -0-

ABSENT: -Q-

DESI: -V-

Item No. 19 Moved by Councilman Bystrak, seconded by Councilman Fath, that the Supervisor be authorised 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-

MOES: -0-

ABSERT: -O-

27

17

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 Checktowaga, New York, to operate camibuses on and along the following highway of the Town of Checktowaga, New York:

George Urban Beulevard 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 Checktonga, 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 Checktonga, New York, permitting the Buffalo Transit Company, Inc., to operate cumibuses 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 DEPEW HERALD AND CHEEKTOWAGA MENS, 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 Tow makip.

Seconded by Councilmen Wroblewski and duly put to a

vote, which resulted as follows:

Supervisor Holts Voting ATE
Councilman Weibert Voting ATE
Councilman Wroblewski Voting ATE
Councilman Trojanoski Voting ATE
Councilman Kornecki Voting ATE
Councilman Fath Voting ATE

AYES: -7-

MOES: -0-

ABSENT: -O-

42

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

1-Post at corner of George Urban Blwd. and Union Road;
2-Telephone Pole No. 4 on George Urban Elwd;
3-Post at corner of George Urban Blwd. and Seminole Lame;
4-Post at corner of George Urban Blwd. and Mismi Parkway;
5-Post at corner of George Urban Blwd. and Patton Lame;
6-Post at corner of George Urban Blwd. and Toelsin Road;
7-Post at corner of George Urban Blwd. and Westland Pkwy;
8-Telephone Pole at corner of George Urban Blwd. 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

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<b>ESCHARD</b>	G.	
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being duly sworn, deposes and says that he is the

PURLINEER

### Herald and News

APR 18 1958

Notary Public in and for Eric County

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

1-Post at corner of George Urban Blwd. and Union Road;
2-Telephone Pele Mo. h on George Urban Mish;
3-Post at corner of George Urban Blwd. and Seminole Lame;
h-Post at corner of George Urban Blwd. and Mismd. Parkway;
5-Post at corner of George Urban Blwd. and Patton Lame;
6-Post at corner of George Urban Blwd. and Toelsin Road;
7-Post at corner of George Urban Blwd. and Westland Pkwy;
8-Rebephone Pole at corner of George Urban Blwd. and
Barlem Awenuse

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

STATE OF NEW YORK }

MICHARD G. BENNETT

to be heard, and be it in the interest of the Councilman Wroblewski, woting Aye woting Aye Conseilman Bystrak, voting Aye Conseilman Trojanoski, voting Aye Conseilman Kornecki, voting Aye Lisseilman Fath, voting Aye Akiss: 7; NOES: 0; ABSENT: 0. Mate of New York (County County C

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

1-Post at corner of George Urban Blwd. and Union Road;
2-Telephone Pole Mo. h on George Urban Mind;
3-Post at corner of George Urban Blwd. and Seminole Lane;
h-Post at corner of George Urban Blwd. and Mind Parkway;
5-Post at corner of George Urban Blwd. and Patton Lane;
6-Post at corner of George Urban Blwd. and Toelsin Road;
7-Post at corner of George Urban Blwd. and Westland Pkwy;
8-Rehephone Pole at corner of George Urban Blwd. and
Harles Avenue

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

STATE OF NEW YORK COUNTY OF ERIE

ENCHARD G. BENNETT

resolution and moved its adoptions Councilman Wroblewski presented the following

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.

amount of \$1620.00, the specifications. committee for tabulation,
WHEREAS, the bid of Merman Chevrolet, Inc., in the

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

Seconded by Cowncilman Trojamoski and dally put to a vote, which resulted as follows:

	Supervisor Holts Councilmen Heibert Councilmen Wroblewski Councilmen Bystrak Councilmen Trojanoski Councilmen Karnecki Councilmen Fath
<b>&gt;</b>	Voting AIS
BSET:	

The following resolution was offered by Councilman at its adoption, seconded by Councilman Medbert, to

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

welleting, the expense of making the improvements bereinafter described must be borne by local assessment upon the several lots and parcels of land within the district in proportion to the assessment of benefit which the improvements shall confer upon the assessment of the cost of maintenance in a sever district as the same shall be annually determined and apportioned by the Town Board, and the Town Board decires to issue capital notes to finance the cost of said improvements and to annually apportion and assess upon the several lots and paperals of land especially benefited by such improvements in proportion to the assess the finance that the improvements as the same shall become due and payable, all of which the improvements as the sess shall become due and payable, all of which shall be done in accordance with the provisions of Sabdivizion 6 of Section 198 of the Town of Checktomaga, in the County of Brie, as follows:

Section 1. In order to finance the specific object or purpose hereinafter described, the Town of Checktomaga, in the County of Brie, as follows:

Section 2. The specific object or purpose (hereinafter referred to as "purpose" to be finance law of Berein is the purchase and installation of street lighting equipment pursuant to Section 198 of the Town law of Hew York, along the highways as hereinafter set forth, to serve preparties on both aides of said highways, to with

### 22-cont'd.

<u> ೨೮೨</u> Threway Court from Beach Road to Lucid Drive. Lucid Drive from Beach Road to Threway Court. Walton Drive from Cleveland Drive to Amherst

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C Town Line.

Beale Avenue from Barrymore Road to Rosary Blvd.

Patton Lane from George Wrban Boulsvard to

McMaughton Avenue.

McManghton Avenue from George Urban Boulsvard

to Scajaquada Greek.

### 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 authorised to be issued, pursuant to the local Finance Law, \$7,000.00 capital notes of the Town of Checktowaga, to be designated substantially Lighting District Capital Notes Series A of 1951 which shall hear 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:

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

each of said notes to beer interest at a rate not exceeding two and three-quarters percentum per sumum, payable semi-enumally 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 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 Checktowaga 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 per 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.

4

### 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 authorised 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 authorised for an object or purpose for which said Town is not authorised 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 fithin 20 days after the date of such publication; or if said obligations are authorised in violation of the provisions of the Constitution of New York.

Section 11. This resolution shall be published in full by the Town Clark 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 MEWS, 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
Councilmen Fath	Voting AYE
Councilman Trojanoski	Voting AYE
Councilmen Kornecki	Voting ATE

ATES: -7-

HOES: -O-

ABSERT: -1-

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

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STATE OF NEW YORK }

SCHARD G. E PULLIT

being duly sworn, deposes and says that he is th

to wit:

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This Drive from Claveland

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de the Town of Carlewan, to be designated substantially Lighting District Capital Notes Series A of 1968, which shall bear a date not earlier than April 7, 1868, 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

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

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asies 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 previded 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 its Tourn of Checktowaga are herein such capital notes as the constituent of the principal of and interest constituents are also present the principal of and interest constituents are also present such capital notes as the major mean cach year sufficient an annual appropriation of the made in each year sufficient to pay the principal of and

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having a general circulation in said Town.

Setcien 12. This resolution shall take effect immediateely upon its adoption.

The capital note resolution published herewith has been adopted on the 7th day of April, 1988, and the validity of the obligations sufficience by such espisal 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 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.

EXPANSITE T. HANLEY

MICHARD G. MENNETT

g duly sworn, deposes and says that he is the

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 mineteen dollars and seventy-five cents (\$219.75).

BE IT RESOLVED, that the Supervisor be and he hereby is authorised 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 mineteen dollars and seventyfive 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
Councilmen Neibert	Voting AYE
Councilman Wroblewski	.Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -7NOES:

ABSENT:

Councilman Trojanoski presented the following resolution and moved its adoption:

WHEREAS, bids sere 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

CMM Co., Inc. in the amount of \$7,873.00.

BE IT RESOLVED, that the Town of Cheektownga, 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 Hussbaumer, 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 Contractors and the Town of Cheektowaga, New York, for the work to be done in accordance with the plans and specifications prepared by the Fonsulting Engineers.

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

Supervisor	Holts	Voting AYB
	Wroblewski	Voting AYE
	Trojanoski	Voting AYE
Councilman		Voting AYE
Councilman	Bystrak	Voting AYE
Councilman	•	Voting AYE
Council man		Voting AYR

AYES: -7HOES:

ABSENT:

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 Mussbaumer, 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:

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

AYES: -7-

190ES: -0-

ABSERT: -O--

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 Strace, 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
Councilman Neibert
Councilman Wroblewski.
Councilman Rystrak
Councilman Trojanoski
Councilman Kornecki.
Councilman Kornecki
Councilman Fath
Voting AYE
Voting AYE
Voting AYE

AYES: -7-

NOES: -0-

ABSERT: -O-

24

Item No. 27 Councilmen Trojanoski presented the following resolution and moved its adoption:

WHEREAS, emergency sewer repairs were required on Robers Drive in Sanitary Sewer District No.5, which repairs were ordered by the Toum 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 wouchers of Scraco, Inc., in the amounts of \$2,008.11 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 wote, which resulted as follows:

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

AYES: -7-

MOES: -O-

ABSENT: -O-

24

Item No. 28 Councilman Trojanoski presented the following resolution and moved its adoption:

WHEREAS, emergency sever repairs were required on Pine Ridge Terrace in Sanitary Sewer District No. 11, 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

WHIREAS, 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
Councilman Neibert
Councilman Wroblewski
Gouncilman Bystrak
Councilman Trojaneski
Councilman Kornecki
Councilman Fath
Voting AYE
Voting AYE
Voting AYE
Voting AYE

ATES: -7-

MOES: -0-

ABSENT: -O-

24

Item No. 29 Councilman Wroblewski presented the following resolution and moved its adoption:

BOND RESOLUTION DATED AFRIL 7, 1958, AUTHORIZING THE ISSUANCE OF \$166,000 SERIAL BONDS AND \$9,000 CAPITAL NOTES OF THE TOWN OF CHERKTOWAGA, 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 Checktowaga, in the County of Brie, as follows:

Section 1. The Town of Cheektowaga, in the County of Brie, 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 machinary, tools, implements and equipment owned by the Town of Checktowags, 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 smount 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 authorised 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 CHERKTOWAGA NEWS, a newspaper published and having a general circulation in said Town. The validity of said Serial Bonds of or any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions 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 Neibert and duly put to a vote, which resulted as follows:

Supervisor Holts	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting ATE
Councilmen Neibert	Voting AYE
Councilman Fath	Voting AYE
Councilmen Trojanoski	Voting AYE
Corneilman Kornecki	Voting AYE

AYES: -7-

MOES: --0-

ABSECT: -O-

Councilman Wroblewski presented the following resolution and moved its adoption:

whire MAS, 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 1h2 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 Brie, 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:

### 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 authorises 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 Cheektowagz, on the parcel of hand 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 mean 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 \$1.75,000?

(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 PLACES

Cleveland Hill Fire Hall
Pine Hill Fire Hall
U-Crest Fire Hall
School No. 10 - Alexander Street
Sloan Village Hall
Theodore Roossvelt School
Cheektowaga Town Hall
Cayuga Fire Hall - Depew
Doyle Fire Hall No. 2-Willowlawn
and Griswold Street
North Hill Elementary School
Tiorunda School

### ELECTION DISTRICTS

13-14-15-16-17-19-20-21.
31-32-33-34-35-36.
5-26-37-38-39.
40-41-42-43-44-45.
46-47-48-49-50.
51-52-54.
1-2-4-53.
3-6-7.

55-56-57. 8-9-10-11-12-23-24-25. 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 Emelock P.M. (Eastern Daylight Saving Time). The vote upon each such proposition shall be taken by wallot in the manner prescribed by law.

(3) The Town Clerk is hereby authorised 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 Checktowage hereby designates:

### Them No. 29-Cont'd.

Helen Paa Virginia Szydlowski Evelyn Maurer Martha Pachucki Lottie Pajak Mae Karassewski Freda Glim Helen Wroblewski Stanley Breister Helen Masurowski Betty Wojtkowiak Beatrice Natalsia Josephine Wieczorek Wendy Andrzejewski. Rita Brown Kathryn Rupp Esther Lee

Alice Schulte Amenda Kielhols Agnes Kwiatkowski Domerville Torba Rita Geis Mayme Ostwald Nola Stortz Mary Holsbauer Irene Wisniewski Lowella Off Kay Bartossenies Ruth Schrier Pearl Tol Helen Dukat Adaline Gross Dorothy Rhodes

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

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

Separvisor Holts	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Commcilman Meibert	Voting ATE
Councilmen Fath	Voting ATE
Councilman Trojanoski	Voting ATE
Councilman Kornecki	Voting AYE

AYES: -7-

10ES: -0-

ABSENT: -O-

### TOWN OF CHERKTOWAGA, IN THE COUNTY OF MRIE, NOTICE OF SPECIAL TOWN ELECTION

PLEASE TAKE MOTICE that the Town Board of the Town of Checktowaga, in the County of Brie 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.
Theedore Roosevelt School	51-52-54.
Cheektowaga Town Hall	1-2-4-53.
Cayuga Fire Hall - Depew	3-6-7.
Doyle Fire Hall No. 2 - Willowlaum	
and Griswold Street	55 <b>-</b> 56 <b>-</b> 57 <b>.</b>
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 Brie, approve the Bond Resolution adopted by the Town Board of said Town on the 7th day of April, 1958, which resolution authorises 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 anthorize 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 locker P.M., Rastern 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 Checktowaga.

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 Mormandy 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, Depow;
- 7 Doyle Fire Hall No. 2 Willowlaum and Griswold Street;
- 8 Sloan Village Hall Halsteed 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-CHERKTOWAGA MENS, and the CHERKTOWAGA TIMES:

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for the weeks:

first publication APR 10 1958

last publication APR 24 1958

and that no more than six days intervened between publications.

Willard C. allio

Sworn to before me this.

day of APR 20 1958

, 19....

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

EVE J. ALLIS

NOTARY PUBLIC, STATE OF NEW YORK

Qualified in Eric County

My Commission Expires March 36, 18.57

Registered No. 5029

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see listed opposite the sico-MECTRON DISTRICTS
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to be an elector of said Town of Committee and in the set of property assessed Span the last perceding Freen senses sell.

Town Clerk

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G. BENNETT

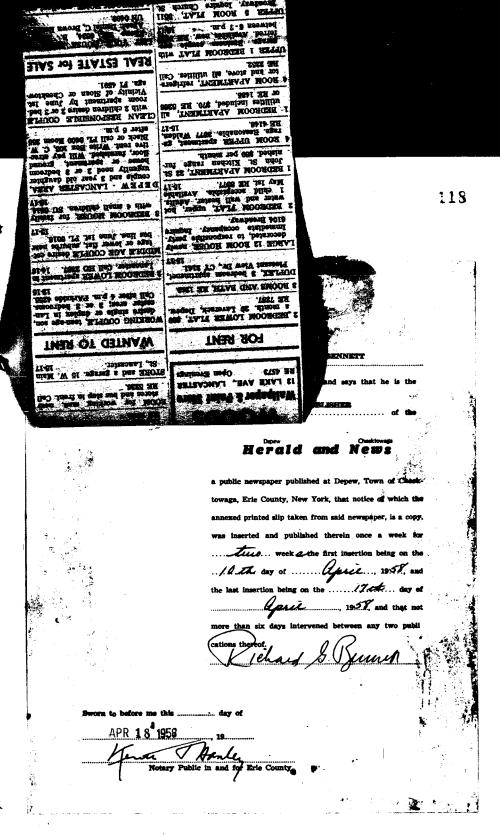
Description will be taken by balled in the memory pro-

o person is quitted to veto at said election unless he or she is the of said Town of Checktoways and is the example of property.

By order of the Town Buard of the Town of Checktoways.

April 7, 1878

KENNETH T. HANLEY
Town Clerk



Councilmen Kornecki presented the following Item No. 30 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 0 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
WHERRAS, 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 Checktowaga, 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

regular meeting of the Town Board of the Town of Checktowaga, 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 shall mean and include only bona 2:30 o'clock P.M., Eastern Standard fide religious, charitable or non-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.

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 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 Ordinancee No.

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 any such game. the context requires otherwise, the following terms shall have the fol-

lowing meanings: include the Town of Cheektowaga, New York.

b. "Control commission" shall mean the state lottery control com-

c. "Bingo" or "game" shall mean and include a specific game of tion therefor in the form pre-conducting thereof, is to be leased chance, commonly known as bingo scribed in the rules and regulations from any person, persons or cor-

or lette, in which prizes are award- of the control commission, duly e ed 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 profit organizations of veterans, volunteer firemen and similar nonprofit organizations.

"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 or-

a. The Town Board of the Town of Cheektowaga, New York, hereany 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 Munistate lottery control.

b. This ordinance shall not beand 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 gr

a. No person, firm, association, corporation or organization, other pal 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.

the sum or value of two hundred fifty dollars.

d. No series of prizes on any one occasion shall aggregate more than ment executed by the applicant 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

g. The unauthorized conduct of llowing terms shall have the fol- a bingo game and any wilful vio- Ordinance and the General Muni-wing meanings: lation of any provision of this or- cipal Law, if such license is a. "Municipality" shall mean and dinance shall constitute and be granted. punishable as a misdemeanor.

SECTION 5. Application for

a. Each applicant for a license shall file with the Town Clerk of for any other purpose in connecthe municipality a written applica- tion with the holding, operating or

ecuted 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 connecby provides that it shall be lawful tion 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 cipal Law and the provisions of the commission, salary, compensation, reward or recompense will be paid to any person for holding, operatcome operative or effective unless ing 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 ofthan an authorized organization li-fered and given in all such games censed under the provisions of this of chance to be held, operated and ordinance and the General Munici- 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 c. No single prize shall exceed games of chance described in the application are to be held, operated and conducted and to the application shall be appended a stateand 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

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

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; maters 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 li-cense was applied for, are bona fide active members of the applicant and are persons of good moral character and have never been convited 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 ducted thereunder, a statement of and that the proceeds thereof are to be disposed of as provided by censee, of the names and addresthis ordinance and the General ses of the member or members of Municipal Law, and if the govern- the licensee under whom such ing body is satisfied that no commission, salary, compensation, reward or recompense whatever will ber of times, or the hours during 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 are to be offered and given in cash, game of chance, and that the aggregate of all prizes offered and given prizes authorized so to be offered in all of such games of chance, and given; and any other informaheld, operated and conducted on a tion which may be required by said single occasion, under said license rules and regulations to be conshall not exceed the sum or value tained therein, and each license is of one thousand dollars, it shall is- sued for the conduct of any game sue a license to the applicant for or games of chance shall be conthe holding, operation and conduct spicuously displayed at the place of the specific kinds of games of where same is to be conducted at chance applied for, accordingly, all times during the conduct there-upon payment of a license fee or of.

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; amon ment of licer

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 conte

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 conthe name and address of the ligames of chance will be held, operated and conducted, of the numwhich, 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 a statement of the amounts of the

SECTION 9. Co vision; su nsion of licenses: inspection of premi

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 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, 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** ersons under eighteen

No person under the age 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 beverage 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 nd 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

organization 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 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 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 holding, operating or conducting rental is stated in a statement anexcess 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 mission to any room or place in chance are to be held, operated tion in said game or the right to and conducted under any license is- participate therein, each item of General Municipal Law, which adcense on such occasion, and no net profit derived from each such secution or conviction for violation charge in excess of one dollar shall game of chance, and the use to of any provision of article one hun-be made for a single opportunity which such not profit has been or dred thirty of the penal law or any

or a member of to participate in all special games or association to be played under such license on offered and given, with the respe which is an auxiliary to the li-such occasion. No prizes greater in censee or a member of an organi- amount or value than two hundred be the duty of each licensee to zation or association of which such 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 deterand no such game of chance shall mined and all prizes shall be be conducted with any equipment 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 ga 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 purpose in connection with the be displayed on or adjacent to the premises where the prize or prizes thereof unless the amount of such are displayed and additional signs may be displayed upon any fire nexed to the application for the li-fighting equipment belonging to cense as provided in section five any licensee, which is a volunteer of this ordinance or which is in fire company, or upon any first-aid or rescue squad equipment belonging to any licensee, which is a firstaid 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** 

ceipts, expenses, etc.-Within fifteen days after the conclusion of the holding, operating and conducting of any such duced and shall be considered in game of chance, the authorized or- arriving at a determination of the

ganization 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 be charged by any licensee for ad-include receipts from the sale of shares, tickets or rights in any which any game or games of manner connected with participasued under this ordinance and the expense incurred, or paid, and each item of expenditure made or mission fee, upon payment thereof, to be made, the name and address any premises owned by him or it shall entitle the person paying the of each person to whom each such of any game of chance conducted same to a card entitling him to item has been paid, or is to be or to be conducted under any liparticipate without additional paid, with a detailed description charge in all regular games of of the merchandise purchased or this ordinance and the General Muchance to be played under such li-the services rendered therefor, the

is to be applied and a list of prises tive values thereof, and it shall maintain and keep such books and records as may be necessary to substantiate the particulars of each such report.

SECTION 17. Examination 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 con-nected 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 promatters 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 secution; 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,

c. permitting the conduct upon cense lawfully issued pursuant to nicipal Law, shall be liable to pro-

but this immunity a **1**1 s ot extend to any person or corporation know- shall forfeit any license issued to it ingly conducting or participating under this ordinance and the Genin the conduct of any same of eral Municipal Law and be inelichance under any license of by any false pretense or statement made in any application for such Law for one year thereafter. license or otherwise, or possessing, SECTION 21. Delegation of auth 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 of applications, the issuance of liit 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, operatchance under this ordinance and the General Municipal Law or for 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 holding, operating and conducting of games of chance under any such any false entry in any book or record so far as they relate to any transaction connected with the holding, operating or conducting of cause to be posted conspicuously, Clerk of the Town Board, Town of any game of chance under any on a signboard maintained by him ap10

nicipal Law or à of such license sh be guilty of a misdemeanor and gible for a license under this ordinance and the General Municipal

ority

The Town Board of the Town of Cheektowaga hereby delegates its authority under this ordinance in relation to the issuance and receipt censes 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 ordining or conducting any game of ance or the application thereof to any person or circumstance shall adjudged unconstitutional by be any other purpose in connection 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 shall fully and truly record all Town Clerk, shall be entered in transactions connected with the the minutes and published at least one in the DEPEW HERALD & CHEEKTOWAGA NEWS and the license or shall falsify or make CHEEKTOWAGA TIMES, newspapers having a general circulation in said town, and

That the Town Clerk post or

at the entrance of the Town Clerk Office, a certified copy of d affidavit of the publilution an estion end posting thereof shall be filed with the Town Clerk.

This Ordinance shall take effect subject to the Special Elece ten (10) days after such public 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 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, 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 hereunto set my have hand and affixed the seal of said Town this 7th day of April, 1958.

KENNETH T. HANLEY, Cheektowaga, N.Y.

### 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 MEWS 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:

Sepervisor Holts	Voting AYE
Councilmen Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilmen Fath	Voting AYE

AYES: -7-

MOES: -0-

ABSENT: -O-

42

A.

STATE OF NEW YORK COUNTY OF ERIE TOWN OF CHEEKTOWAGA

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for weeks:

APR 101958 first publication .. last publication . and that no more than six days intervened between publications.

Willand C. aleis

Sworn to before me this.

APR 17 1958

day of ..

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

EVE J. ALLIS

NOTARY PUBLIC, STATE OF NEW YORK

Qualified in Eric County

My Commission Expires March 30, 19 57

Registered No. 5029

a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Time, there were

PRESENT: Renedict T. Holtz, Supervisor A. Neibert, Councilman T. Wroblewski, Councilman Stanley R. Bystrak, Councilman Jemph Trojanoski, Councilman Joseph Kornecki, Councilman Abincin Fath, Councilman

ABSENT: --0--Councilman Komecki presented the following resolution and moved is adoption:

adoption: \*/
\*\*HEREAS\_the Town Board, a eting Held March 17th, 1958, ed a resolution that the Town Beard meet at the Town Hall, corof Broadway and Union Road, aktowaga, New York, on the Til day of April, 1958 at 2:30 picieck P.H., Eastern Standard known as Local Ordinance No. E and

WHEREAS, notice of said public heating was duly published and the hearing, as is shown by the the same. duly verified affidavits of publica-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 Cheektowaga, for the purpose of such participation of such games.

WHEREAS, an opportunity was any such game. ded all persons interested in that it was in the public interest to adopt a Bingo Licensing Law to known as Local Ordinance No. 26 and provide as follows:

BINGO ORDINANCE SECTION 1. Short Title-This ordinance shall be known id may be cited as the Checktow

aga Bings Licensing Law. SECTION 2. Definition As used in this ordinance, unless the context requires otherwise, the the applicant together with suffifollowing terms shall have the fol-

dwing meanings: include the Town of Checktowaga, pality to determine whether or not

New York. h. "Control commission" shall ination; the names and addresses of mean the state lottery control com- its officers; the specific kinds of

include a specific game to the appropriate, the date or dates and places where, the date or dates and letto, in which prizes are award- the time or times when such games ed on the basis of designated num- of chance are intended to be held,

applicant designated in the applicant designated in the applicant designated in the applicant conducted under such license, to the games of change, to non-the organizations of veterans, chance and the names and address or the games of change, to not the games of change, to not the end that the same are fairly orate and conduct which the livolunteer firemen and similar non-ses of the persons to whom, and profit organizations.

Town Board of the Town . New York. SECTION 3. Local laws and

a. The Town Board of the Town therein except as otherwise pro-Rown of Cheektowaga, New York, of Cheektowaga. New York, hereen the 7th day of April, 1958, at by provides that it shall be lawful 230 o'clock P.M., Eastern Standard 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 fered and given in all such games be effective for a period of more 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 upo conduct of bingo games...

a. No person, firm, association, Time, for the purpose of consider corporation or organization, other the advisability of adopting a than an authorized organization liin Licensing Law, which is to censed 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 sted as required by law, not less game shall be exclusively devoted than ten (10) nor more than twen- to the lawful purposes of the or-(20) days prior to the date of ganization permitted to conduct

c. No single prize shall exceed tion and posting now on file in the 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 Town Hall in the said Town member of any such organization ektowaga, for the purpose of shall participate in the manage

pting a Bingo Licensing Law to; f. No person shall receive any known as Local Ordinancee No. remuneration for participating in the management or operation

g. The unauthorized conduct of be subject matter to be heard and a bingo game and any wilful viothe conclusion of said public lation of any provision of this orissaring, the Town Board decided dinance shall constitute and be punishable as a mi

SECTION 5. Application for 1i-

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 regulation of the control com ecuted and verified, in which shall be stated the name and address of cient facts relating to its incorporation and organization to enable a "Municipality" shall mean and the governing body of the municiit is a bona fide authorized organgames of chance intended to be "Bingo" or "game" shall mean held, operated and conducted by include a specific game of the applicant, and the place or here or symbols on a card conform- operated and conducted by the aplior; the items of exper is what manner; that no

of | commission, salary, compensation, | chance are to be conducted under reward or recompense will be paid such license.

to any person for holding, operat-

ing or conducting such game or

vided in this ordinance or in the

conducted under such license and

Ordinance and the General Muni-

c. In the event that any prem-

for any other purpose in connec-

tion with the holding, operating or

which will be paid for such prem-

or if a corporation all of its offi-

license; fees; duration of license-

cipal Law to hold, operate and con-

duct games of chance under the

prize will be offered and given in

ulations.

granted.

b. On or before the thirtieth day this municipality, pursuant to the ducted under any license issued each item of expenditure made or games of chance or for assisting General Municipal Law, shall trans under this ordinance and the Gen- to be made, the name and address mit to the state comptroller a sum eral Municipal Law oftener than on of each person to whom each such General Municipal Law; and that equal to fifty per cent of all license six days in any one calendar item has been paid, or is to be no prize or aggregate of prizes will fees collected by such municipalbe offered or given under such liity pursuant to this section during area where alcoholic beverages are
of a value in every of the the preceding colorider month. cense of a value in excess of the the preceding calendar month. sum or value authorized to be of-

c. No license for the holding, fered or given by this ordinance or operation or conduct of any game the General Municipal Law, and a or games of chance shall be issued description of all prizes to be of under this ordinance which shall of chance to be held, operated and than one year.

SECTION 7. Hearing; amendsuch other information as shall be ment of license

prescribed by such rules and rega. No application for the issub. In each application there shall be designated an active member or hearing, held on due notice to the issued, and no person shall assist members of the applicant organization under whom the game or games of chance described in the the qualifications of the applicant chance under such license except application are to be held, oper and the merits of the application an active member or a member of ated and conducted and to the application shall be appended a statement executed by the applicant cipal Law may be amended, upon censee or a member of an organiand by the member or members so application made to the governing zation or association of which such designated, that he or they will be body of the municipality which is licensee is an auxiliary or a memresponsible for the holding, oper- sued it, if the subject matter of the ber of an organization or associaating and conduct of such games of proposed amendment could law-tion which is affiliated with the lichance in accordance with the fully and properly have been in-censee by being, with it, auxiliary terms of the license and the provisions of the rules and regulations governing the holding, operation and conduct of such games of been payable if it had been so in-

chance, the Town of Cheektowaga cluded. SECTION 8. Form and con-

cipal Law, if such license 'fs of license; display of license-Each license shall be in such form as shall be prescribed in the licensee, and no item of exises, upon which any such game of rules and regulations promulgated pense shall be incurred or paid in chance is to be held, operated or by the control commission and conducted or which is to be used shall contain a description of the ating or conducting of any game kind of games of chance author of chance held, operated or conized to be held operated and conconducting thereof, is to be leased ducted thereunder, a statement of from any person, persons or cor- the name and address of the liporation, a written statement shall censee, of the names and addresaccompany the application signed see of the member or members of and verified under oath by such the licensee under whom such and merchandise furnished or serperson or persons or executed and games of chance will be held, opverified under oath on behalf of erated and conducted, of the numsuch corporation, stating his or its ber of times, or the hours during address and the amount of rent which, such games of chance are authorized to be conducted and the any circumstances whatever; no ises and that such lessor or lessors, place or places where and the date rental shall be paid for the use of or dates and time or times when, cers and each of its stockholders such games of chance are to be ing or conducting any such game of who hold ten per cent or more of conducted and of the specific pur-chance thereon or for any other its stock issued and outstanding, poses to which the outine set pro-are of good moral character and seeds of such games of chance are have not been convicted of crime. to be devoted; if any prize or prices are to be offered and given in cash, a statement of the amounts of the prizes authorized so to be offered a. The Town Board of the Town and given; and any other informaof Cheektowaga, New York, shall tion which may be required by said make an investigation of the qual-rules and regulations to be conifications of each applicant and the tained therein, and each license ismerits of each application, with sued for the conduct of any game due expedition after the filing of or games of chance shall be conthe application, and if it shall de-spicuously displayed at the place termine that the applicant is duly where same is to be conducted at qualified to be licensed under this all times durit; the conduct thereordinance and the General Muni- of.

any game of chance so held, oper-SECTION 9. Control and super-

vision; suspension of licenses; inprovisions of this ordinance and spection of pre the General Municipal Law and the The governing body of this murules and regulations governing the nicipality issuing any license under bookkeeping or accounting services holding, operation and conduct this ordinance and the General Muthe to numbers or symbols selected plicant under the license applied thereof in the municipality; that nicipal Law shall have and exer of compensation prescribed by the ie intended the member or members of the cise control and supervision over all d. "A ut horized organization" to be incurred or paid in connect applicant designated in the application games of chance held, operated or cense was applied for, are bona cordance with the provisions of the purposes for which, they are fide active paembers of the appli- such Reense, the rules and regulae. "License" shall mean a license to be paid; the specific purposes to cant and are persons of good moral tions premulgated by the control character and have never been commission, the provisions of this character and have never been commission, the provisions of this vited of a crime; that such games ordinance and the General Muniof chance are to be held, oper cipal Law governing the holding ated and conducted in accordance operation and conduct of the same with the provisions of this ordin and such governing body and the ance, the General Municipal Law control commission shall have the and in accordance with the rules power and authority to suspend and regulations governing the hold- any license issued by such governing, operation and conduct thereof ing body and to revoke the same, and that the proceeds thereof are after notice and hearing, for vioto be disposed of as provided by lation of any such provision, and this ordinance and the General shall have the right of entry, by Municipal Law, and if the govern- their respective officers and ing body is satisfied that no com- agents, at all times into any premmission, salary, compensation, re- ises where any such game of ward or recompense whatever will chance is being held, operated and be paid or given to any person conducted or where it is intended holding, operating or conducting or that any such game of chance shall assisting in the holding, operation be held, operated and conducted, and conduct of any such games of or where any equipment being chance except as in this ordinance used or intended to be used in the and the General Municipal Law conduct thereof is found, for the otherwise provided; and that no purpose of inspecting the same.

SECTION 10. Sunday; conduct of excess of the sum or value of two games on-

Games of chance licensed under hundred fifty dollars in any single game of chance, and that the aggrethis ordinance may be conducted gate of all prizes offered and given on the first day of the week tance, monly known and designated as sunday.

Sunday.

SECTION 11. Participation by occasion, under said license shall not exceed the sum or value

of one thousand dollars, it shall is-No person under the age of sue a license to the applicant for eighteen years shall be permitted the holding, operation and conduct to participate in any game or of the specific kinds of games of games of chance held, operated or chance applied for, accordingly, conducted pursuant to any license upon payment of a license fee or issued under this ordinance and fees of ten dollars for each occas the General Municipal Law unless ion upon which any games of accompanied by an adult.

SECTION 12. Frequency of game; sale of aicoholic beverages

No game or games of chance of each month, the fiscal officer of shall be held, operated or con- expense incurred, or paid, and sold or served during the progress the services rendered therefor, the of the game or games.

SECTION 13. Persons operating and conducting games; equipment; expenses; compensation-

No person shall hold, operate or No person shau hold, operate of tive values thereof, and it shall chance under any license issued be the duty of each licensee to chance under any license issued maintain and keep such books and tion, the remainder of this ordineral Municipal Law except an acance of a license shall be denied tive member of the authorized or substantiate the particulars of each by the governing body until after a ganization to which the license is such report. applicant, at which the applicant in the holding, operating or conshall be entitled to be heard upon ducting of any game or games of b. Any license issued under this an organization or association ordinance and the General Muni- which is an auxiliary to the licluded in the original license and to another organization or associaupon payment of such additional tion and except bookkeepers or aclicense fee, if any, as would have countants as hereinafter provided and no such game of chance shallbe conducted with any equipment of under oath in relation to the on a signboard maintained by him except such as shall be owned absolutely or used without payment of any compensation therefor by connection with the holding, oper-

nicipal Law. ducted pursuant to any license issued under this ordinance and the erning body to control com General Municipal Law, except such as are bona fide items of reasonable amount for goods, wares vices rendered which are reasonably necessary to be purchased or furnished for the holding, operating or conducting thereof under any premises for holding, operatpurpose in connection with the 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 indirect said appeal. ly, to any person holding, operating or conducting or assisting in the ition; exemptionholding, operation or conduct of

SECTION 14. Charge of admis sion and participation; amount of

ated or conducted, except that rea-

sonable compensation may be paid

to bookkeepers or accountants for

rendered according to a schedule

prizes; award of prizesbe charged by any licensee for ad-nicipal Law, shall be liable to promission to any room or place in secution or conviction for violation which any game or games of chance are to be held, operated and conducted under any license is sued under this ordinance and the shall entitle the person paying the but this immunity shall not extend same to a card entitling him to to any person or corporation knowparticipate without additional ingly conducting or participating chance to be played under such li- chance under any license obtained cense on such occasion, and no by any false pretense or statement charge in excess of one dollar shall made in any application for such to participate in all special games selling or disposing of shares, to be played under such license on tickets or rights to participate in, such occasion. No prizes greater in or permitting the conduct upon amount or value than two hundred any premises owned by him or it of fifty dollars shall be offered or any game of chance conducted ungiven in any single game conducted der any license known to him or under any such license and the ag- it to have been obtained by any gregate amount of value of all false pretense or statement. prizes offered or given in all games played on a single occasion shall not exceed one thousand dollars, for licenseand all winners shall be determined and all prizes shall be awarded in any game played on endar day as that upon which the as a prize in any such game.

SECTION 15. Advertising games No games of chance to be con-

ing to any licensee, which is a first the provisions of this ordinance aid or rescue squad, in an through- and the General Municipal Law or

manner connected with participation in said game or the right to participate therein, each item of 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 respecrecords as may be necessary to

SECTION 17. Examination of managers, etc.; disclosure of information—

nicipality and the control commis- apparent. sion shall have power to examine or cause to be examined the books of this resolution, certified by the ganization to which any such li- the minutes and published at least nected with the holding, operating and conducting of any game of chance thereunder and to examine in said town, and may be necessary for the purpose filed with the Town Clerk.

of carrying out the provisions of this ordinance and the General Mu-SECTION 18. Appeals from gov Any applicant for, or holder of, any license issued or to be issued under this ordinance and the General Municipal Law aggrieved by which such application has been utes. made or by which such license has been issued, may appeal to the control commission from the determination of said governing Supervisor Holtz, voting aye body by filing with the governing body a written notice of appeal within thirty days after the deter mination op action appealed from, and upon the hearing of such appeal, the evidence, if any, taken before the governing body and any Councilman Fath, voting aye additional evidence may be produced and shall be considered in arriving at a determination of the State of New York matters in issue, and the action of Erie County the control commission upon said Office of the Clerk of the ) appeal shall be binding upon said Town of Checktowaga governing body and all parties to

SECTION 19. Immunity from No person or corporation

a. lawfully conducting, or par ticipating in the conduct of, b. possessing, selling or in any nanner disposing of, any shares,

any premikes owned by him or it ort of any game of chance conducted thereof. or to-be conducted under any license lawfally issued pursuant to Not more than one dollar shall this ordinance and the General Mu- (seal) General Municipal Law, which ad- ally authorized by this ordinance mission fee, upon payment thereof, and the General-Municipal Law, charge in all regular games of in the conduct of any game of be made for a single opportunity license or otherwise, or possessing,

SECTION 20. Offenses; forfeiture of license; inclinibility to apply Any person, association or cor-

poration who or which shall make any false statement in any appliany occasion within the same cal- cation for any such license or in any statement annexed thereto or game was played. No alcoholic bev- shall pay any rental for the use of erages shall be offered or given any premises for holding, operating or conducting any game of chance under this ordinance and the General Municipal Law or for ducted under any license issued any other purpose in connection under this ordinance and the Gen- with the holding, operating or coneral Municipal Law shall be adver- ducting thereof, unless the amount tised as to its location, the time of such rental is stated in a statewhen it is to be or has been played, ment annexed to the application or the prizes awarded or to be for the license as provided in secwarded, by means of newspapers, tion five of this ordinance, or shall adio, television or sound trucks or pay or receive any sum for such y means of billboards, posters or rental in excess of the sum stated andbills or any other means ad- as the rental to be charged theredressed to the general public, ex- for in such statement executed by cept that one sign not exceeding him or on its behalf, or shall fail sixty square feet in area may be to keep such books and records as displayed on or adjacent to the shall fully and truly record all premises where the game will be transactions connected with the played and an additional sign may holding, operating and conducting be displayed on or adjacent to the of games of chance under any such premises where the prize or prizes license or shall falsify or make are displayed and additional signs any false entry in any book or recmay be displayed upon any fire ord so far as they relate to any fighting equipment belonging to transaction connected with the any licensee, which is a volunteer holding, operating or conducting of fire company, or upon any first-aid any game of chance under any or rescue squad equipment belong | such license or shall violate any of

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 jurisdicance or the application thereof to other persons and circumstances shall not be affected thereby, and the Town Board hereby declares books and records; examination of that it would have enacted this ordinance without the invalid provision or application, as the case The governing body of the mu- may be, had such invalidity been

BE IT RESOLVED, that a copy and records of any authorized or- Town Clerk, shall be entered in cense is issued so far as they may one in the DEPEW HERALD & relate to any transactions con- CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES, newspapers having a general circulation

any manager, officer, director, That the Town Clerk post or agent, member or employee there-cause to be posted conspicuously, conduct of any such game of at the entrance of the Town Clerk's chance under any such license but Office, a certified copy of this resoany information so received shall lution and affidavit of the publinot be disclosed except so far as cation and posting thereof shall be

This Ordinance shall take effect, subject to the Special Elecetion, 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 any action of the municipal govern- the Town and showing the dete of ing body of the municipality to its passage and entry into the min-

> oski and duly put to a vote, which resulted as follows: Councilman Neibert, voting ave Councilman Wroblewski.

Seconded by Councilman Trojan

Councilman Byatrak, voting ago Councilman Trojanoski, voting aye Councilman Kornecki, voting aye

AYES: 7; NOES: 0; ABSENT: 0.

55: This is to certify that I, neth T. Hanley, Clerk of the Town of Cheektowaga, in the said County

of Erie, have compared the for going copy of resolution with the original resolution now on file at this office, and which was pain by the Town Board of the Town of Cheektowaga in said County of tickets or rights to participate in, Erie, on the 7th day of April, 1958, and that the same is a corc. permitting the conduct upon rect and true transcript of such

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 7th day of April. 1958.

KENNETH T HAMI

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•

heektowaga, New York, day of April, 1958, at P.M., Eastern Standard were PRESENT:

ARSENT:

A Neibert, Councilman

T. Wroblewaki, Councilman

By R Byertak, Councilman

Ley R Byertak, Co

deption:

| Control | Cont

HEREAS, this Town Board, at a time the thin 1950, and a resolution that the Town I meet at the Town Hall, core is Broadway and Union Road, at towage, New York, on the Sanage April, 1958 at 2:30 things of April, 1958 at 2:30 things for the purpose of consideration for the purpose of consideration for the purpose of consideration at Licensing Law, which is to be advisability of adopting a Licensing Law, which is to be advisable and the control of the purpose of consideration at Licensing Law, which is to be advisable and the control of the co

HERREAS, notice of said public hing was duly published and ad as required by law not less at the control of the

REAS, an opportunity was WHEREAS, an opportunity was barded all persons interested in a subject matter to be heard and the conclusion of said public suring, the Town Board decided lift was in the public interest a adopt a Bingo Licensing Law to a known as Local Ordinance No. 5 and provide as follows:

BINGO ORDINANCE SECTION 1. Short Title—This ordinance shall be known

go Licensing Law. ION 2. Definitions— ed in this ordinance, unless

\*\*\*\*\*

b. The entire net proceeds of any game shall be exclusively devoted to the lawful purposes of the or-sanization permitted to conduct

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.

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 milliteration for the constitute.

SECTION 5. Application for 11.

and provide as follows:

BINGO ORDINANCE

Shall file with the Town Clerk of
the numicipality a written application things in the forms provide the the forms provide the first provide and regulation

Allows Libertal Lawrence Lawrence

BINGO ORDINANCE

SHALL Applicate for a license

Shall file with the Town Clerk of
the numicipality a written application the forms provide as the control of the control or the forms provide as the control of the control o of the control commission, duly ecuted and verified, in which a SECTION 2. Definitions—
As used in this ordinance, unless the context requires otherwise, the fallowing terms shall have the following meanings:

a. "Municipality" shall mean and include the Town of Checktowaga, New York.

b. "Control commission" shall mean and include a specific game of the state lottery control commission.

c. "Bingo" or "game" shall mean and include a specific game of chance, commonly known as binded, operated and conducted the applicant, and the place of chance, commonly known as binded on the basis of designated numbers or symbols on a card conforming to numbers or symbols selected at random.

d. "A ut h o rist of derganization" d. "Authorized organization" to be incurred or paid in councillate religious, charitable or nonide religious, charitable or nonimproved paying a unappose of the paying and conducting of such games

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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 Checktowaga Ordinance and the General Music Ordinance and the General Muni-cipal Law, if such license E

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 helding, operating or conducting thereof, is to be leased from any person, person, as confrom any person, persons or cor-poration, a written statement shall grand poration, a written statement shall into or 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 officients who hold ten per cent or more of its stock issued and outstanding, and so the state of the s

m m er sent games and held, operated and conducted a single occasion, under said licenses 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 mentite kinds of games of shall not exceed the sum or value of one thousand dollars, it shall is sue a license to the applicat for the holding, operation and conduct of the specific kinds of games of chance applied for, accordingly, upon payment of a license fee or typon payment of a license fee or fees of ten dollars for each occasion upon which any games of the General Municipal Law unless in the General Munici

license fee, if any, as would have been payable if it had been so in-cluded.

been payable if it had been so included.

SECTION 8. Form and contents of license-tisplay of 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 address 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 numerized 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 pur-poses in which the outre net pro-sent of such games of chance are

SECTION 11. Participation

Country OF RIES

The serious of the Town of the Town of Chance of the Town of Chance of given and the Country of the Country o tion which is affiliated with the li-censee by being, with it, auxiliary to another organization or associa-tion and except bookkeepers or ac-countants as hereinafter provided and no such game of chance shall-be conducted with any equigment except such as shall be owned ab-solutely or used without payment of any compensation therefor by the licensee, and no item of ex-pense shall be incurred or paid in connection with the helding, oper-ating or conducting of any game ating or conducting of any game of chance held, operated or con-ducted pursuant to any license is sued under this ordinance and the General Municipal Law, such as are bona fide items except of rea sonable 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 connecting with the contraction of the state of the contraction of the state of th

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 Gen under this ordinance and the Gen-eral Municipal Law shall be adver-tised as to its location, the time when it is to be or has been played, or the prizes awarded or to be warded, by means of newspapers, adio, television or sound trucks or by means of billboards, posters or adio, 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 skyl 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 as 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 are rescue squad, in an throughing to any licensee, which is a first-aid or rescue squad, in an throughing to any licensee, which is a first-aid or rescue squad, in an throughing to any licensee, which is a first-aid or rescue squad, in an throughing to the community or communities served by such volunteer fire empany or such first-aid or rescue squad, as the case may be.

spund, as the case may be.

SECTION 16. Statement of re-

books and records; examination of that it would have enacted this meanagers, 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 organisation to which any such license is issued so far as they may relate to any transactions concreted with the holding, operating CHEEKTOWAGA NEWS and and conducting of any game of maners having a general circular of the control of the minutes and published at 1 one in the DEPEW HERALI one and conducting of any game of maners having a general circular organisms. nected with the holding, operating CHEERTOWAGA TIMES, newnand 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 teachest of any such game of chance under any such game of chance inder 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 Musicipal Law.

CHEERTOWAGA TIMES, newnand conducting a general circulation in said town, and cause to be posted conspicuously on a signhoard maintained by him the maintained by him algorithm of the Town Clerk. Office, a certified copy of this resolution and affidavit of the publication with the Town Clerk.

This Ordinance shall take effect, subject to the Special Elecction, ten (10) days after such publication. nicipal Law.

nicipal Law.

SECTION 18. Appeals from governing body to construct 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 municipali governing body of the municipality of the work application 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.

shall play 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 pay or receive any sum for suc rental in excess of the sum state as the rental to be charged ther as the rental to be charged therefor in such statement executed by
him or sa its behalf, or shall fall
to keep such books and records as
shall fully and truly record all
transactions connected with the
holding, operating and conducting
of sames of chance under any such
license or shall falsify or make
any false entry in any book or record so far as thus, relate to any
transaction connected with the
holding, operating or conducting of
any game of chance under any any game of chance under any such license or shall violate any of the provisions of this ordinance and the General Municipal Law or 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 Gen-eral Municipal Law and be ineli-gible for a license under this ordin-

EECTION 16. Statement of rewithin expenses, etc.—

Within fifteen days after the
conclusion of the holding, operatfing and conducting of any such
game of chance, the authorized or
conducted the same, and its members who were in charge thereof,
shall turnish to the town clerk of
the municipality a duly verified
statement showing the amount of
the gross receipts derived from
such game of chance, which shall
seclude receipts from the sale of
shares, tickets or rights in any Cheektowaga hereby delegates its authority under this ordinance in relation to the issuance and receipt

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 the competent in the control of other persons and circumstances shall not be affected thereby, and the Town Board hereby declares that it would have enacted this or-

apparent.
BE IT RESOLVED, that a copy the minutes and published at least one in the DEPEW HERALD & CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES, news

ten (10) days after and posting, but

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on file at pass Ce ounty of

Whereof. 71 01 + 1

LEGAL NOTICE At a regular meeting of the Town Board of the Town of Cheektowara. Eric 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.

me, there were-PRESENT: Benedict T. Holtz. Supervisor Joseph. A. Neibert. Council-

Felix T. Wroblewski, Councilman Stanley R. Bystrak, Council-

Joseph Trojanoski, Council-

man Joseph Kornecki, Councilman

Joseph Kornecki, Councilman Alancin Fath, Councilman Alancin Fath, Councilman Alancin Fath, Councilman Alancin Fath, 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, Cheettowas, New York, on the 7th day of April, 1986 at 2:30 o'clock P. M., Eastern Standard Time, for the purpose of, considering the advisability, of adopting a Bingo Licensing Lew, which is to be Known as Local Ordinance No. known as Local Ordinance No.

WHEREAS, notice of said WHERRAS, notice of said nublic hearing was duly published and nosted as required by law, not less than ten (19) nor more than twenty (20) days nrior to the date of the hearing, as is shown by the duly verified affidavits of nublication and posting now on file in the Town Clerk's Office, and
WHEREAS, pursuant to said resolution, the Town Board of the Town of Checktowage, did meet on the 7th day of April.

respittion, the Town Board or the Town of Checktowars, did meet on the 7th day of April, 1958, at the Town Hall in the said Town of Checktowars, tor 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-a in-duck the Town of Check-

and include the Town of Cheek-towaga, New York
b. "Control commission" shall
beauther state lotters commot commission.

Contains of the contains of th

which orizes are awareau on the basis of designated numbers or symbols on a card conforming to numbers or symbols selected at random.

d. Authorized organization of the conforming the conforming of the conforming the conformi

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 authorshall be lawful-for any authorized organization, upon obtaining a license therefor as hereinafter provided, to conduct the game of bings within the territorial limits of the Town of Cheektowaga, subject to the provisions of this ardinance, the provisions of article 14-G of the General Municipal Law and the provisions of the sinte lottery control, b. This ordinance shall not become operative or effective

become operative or effective unless and until it shall have been approved by a majority of the qualified electors of this on the dualitied electors of this municipality voting on a proposition therefor submitted at a general or special election held within the Town of Cheeklowaga New York.

SECTION 4. Restrictions upon conduct of bingo games—
a. No person, firm, association, corporation or organization, other than an authorized organization dicensed under the provisions of this ordinance and the General Municipal Law, shall be permitted to conduct such sense.

b. The entire net proceeds of

devoted to the lawful nurmous to conduct the same c. No single prize shall ex-ceed 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 organ-ization shall participate in the management or operation of such games.

f. No person shall receive any nuneration, for participating the management or operation any such game.

of any such game.

F. The unauthorized conduct
of a binco game and any wilful violation of any provision
of this ordinance shall constitute and be punishable as a
misdemeanor.

SECTION 5. Application for li-

SECTION 5. Application for incesses and incesses that 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 corporation 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 places where, the date or dates and the time or times when such games of chance are in-tended to be held, operated and conducted by the applicant unconducted by the applicant under the license applied for; the license of expense intended to be incurred or paid in connection with the helding, operating and chance and the paid of the connect and the paid of the connect and the paid of the connect and the paid of the or aggregate of prizes will offered or given under such offered or siven under such li-ense of a value in excess of the sum or value authorized to-be offered or given by this or-dinance or the General Munici-nal Law, and a description of all prizes to be offered and given in all such games of chance to be held, operated and confluence and bear of the confluence of the and such other information as shall be prescribed by such rules and regulations,

b. In each application there shall be designated an lactive member or members of the applicant of ganization under member or members of the applicant or x a niz a t io n underwoom the name or names 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 control of the properties of the license and the providence of the license and regulations of the rules and regulations for the rules and regulations for the rules and regulations for the rules and regulations of the rules and regulations of chance its Two of Cheektowasa Ordinance and the General Municipal Law, if such license is granted, the the control of the rules of the rule

any person, persons or corpora-tion, a written statement shall tion a way the national or corpora-tion and written statement shall accompany the application accompany the application accompany the application accompany the application of the statement of

SECTION 6. Investigation; mat-ters to be determined; is-suance of license; fees; duration of licensen. The Trown Board of the
Town Board of the
Town of Cheektowaca, Nyestaga
tion of the qualities an investigation of the qualities an investigation of the qualities of the property of
each application, with due expedition after the filling 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 sames of duration of license-

operate and conduct games of chance under the provisions of this ordinance and the General Municipal Law and the rules al Municipal Law and the rules and regulations governing the holding, operations 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. the application to hold, operate or conduct the games of chance, to hold, operate and conduct which the license was applied for, are bons 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 greening the holding operating the holding operating the holding operating the holding, operation and the General Watching of the proceeds the proceeds the process of the pr except as in this ordinance and the General Municipal Law othner deneral municipal Law ofth nerwise 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 and conducted on a single occa-sion, under said license shall not exceed the sum or value of one thousand dollars, it shall or 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 and the conduction of the conduction of

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 to fifty per cent of all license fees collected by such munici-pality pursuant to this section

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: amend-

SECTION 7. Heating: amendment of license.

A. No abulication 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 applicant and the most of the applicant and the denied of the applicant and the most of the applicant and the follows of the applicant and the order of the applicant and the order of the applicant and the denied of the applicant and the Ceneral Municipal Law may be amended, upon application made to the zoverning body of the municipality which issued it, if the subject matter of the proposed amendment could lawfully and mroperly 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

included.

SECTION 8. Form and contents of license; display 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 macmber or members of the licensee of the name of the hance will be held, sperat

chance hidd, operated or conducting or as ducted under such license, inches the end that the same are fairly held, operated and conducted in accordance with the proposations of the control commission, the proposation of this ordinance and the control commission, the proposation of this ordinance and the General Municipal Law governing the holding, operation and conduct of the same and such governing body suith the control commission shall the control commission shall the control commission shall be never the proposation of the control commission shall have the power and authority to sumeend any license is suiced.

Not some provision, and shall have the right of entry, by their respective officers and agents, at all times into any premises where any such xame job, chance is being held, operated, at all times into any premises where any such xame job, chance shall be held operated; and conducted or where it just conducted in the configuration of the conf

cept an active member of the the gains will be played and an an the rized organization to the stational size where the license is issued, and played one and control to the no nerson shall assist in the notification of the license of the stational size where the prize or notification overating or conducts in organization of many game or games of chance under such license except an active member or a member of an organization of association which is an auxiliary of unon any first-aid or organization of active member of an organization of active member of an organization of association which is an auxiliary of unon any first-aid or organization of a member of an organization of a secondary of the license of an auxiliary of an ember of an organization of a secondary such licensee is an auxiliary or a member of an organization of a secondary of the license of the licen

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SECTION 15. 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, directions of the conduction of the c

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 providing any action of the purubicing any action of the purubicing the municipality to which since the municipality to which since the providing and the providing 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 grieved by any action dence may be produced and shall be considered in arriving at a determination of the matat a determination of the mat-ters in issue and the action of the control commission upon said appeal shall be binding upon said governing body and upon said governing bod-all parties to said appeal.

SECTION 19. Immunity from

No person or corporation a, lawfully conducting

No person or comporation of a lawfully control of a lawfully control of participating in the conduct of b possessing, selfment of any manner disposing of any shares, tickets or rights to participate in, or c permitting the c ond u ct upon any premises, owned by him or it of any same 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 notovision of article one hundred thirty of the penal: law or any other law or ordinance to the extent that such conduct is specifically authorized by this ordinance and the General Municipal Law, but this immunity shall no sevend by any some and the General Municipal Law, but this immunity shall not seven the ordinance of the ordinance or ordinance ordinanc

SECTION 26 Offices Any person, association or corporation who or which shall

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 hereto or shall pay any rental for the use of any premises for holding, operating or conducting any xame 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 the control of the control in the holding, operating or conducting thereof, unless the amount of the control in the fact of the fact of the control of the control of the control in a state of the application of the license as provided in for the license as provided in for the license as rowing any such that the control of the year thereafter.

SECTION 21. Delegation of au-

SECTION 21. Delegation of authority—
The Town Board of the Town for the County Board of the Town for the County Board of the Town of the County Board of the County Bo

the Town of Checktoward, New York.

SECTION TO SEVERABILITY—
If any Distriction of this ordinaance or the application thereof to any nerson for 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 sion or application, as the 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 pubentered in the minutes and pub-lished at least once in the De-pew Herald & Checktowaga News and the Checktowaga Times, newspapers having a general exculation in said town, and

That the Town Clerk post or That the Town Clerk post or cause to the posted conspicu-ously on a Signboard main-quisty on a Signboard main-ained by including the entrance of the Town of the conficer as certified copy of the resolu-tion and affidavit of the publi-tation and postfirst there shall be filled with the Town Clerk

This Ordinance shall take ef-fect, subject to the Special Elec-tion, ten (10) days after such publication and posting, but such ordinance shall take effect from the date of its service as from the date of its service as against a person served nerson-ally with a copy thereof, egr-tified by the Town Clerk under the corporate seal of the Town and showing the date of its passage and entry into the minutes.

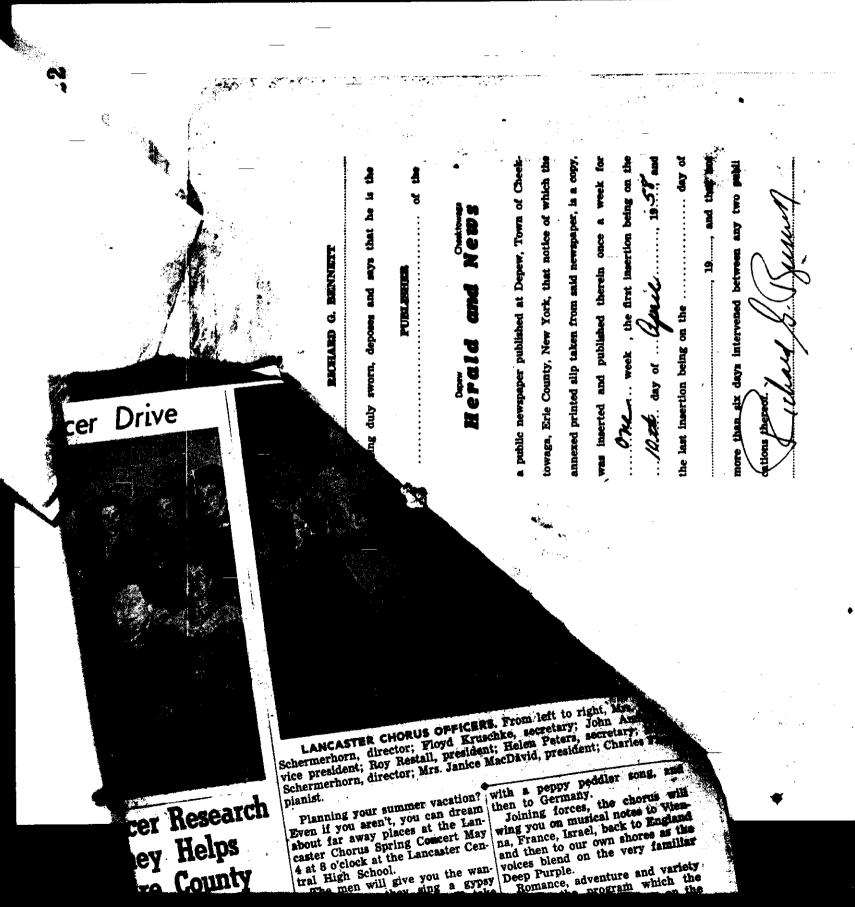
Seconded by Councilman Tro-janoski and duly put to a vote, which resulted as follows: Supervisor Holtz, Aye. Councilman Neihert Ave. Councilman Wroblewski, Aye Councilman Bystrak, Ave. Councilman Trojanoski, Aya Councilman Kornecki Aye Councilman Fath, Aye AYES: 7; NOES: 0; ABSENT:

STATE OF NEW YORK

STATE OF NEW YORK )
ERRE COUNTY
OFFICE OF THE CLERK
OF THE TOWN OF
CHECKTOWAGA
This is to certify that I. KENNETH T. HANLEY, Clerk of
the Town of Checktowaga, in
the said County of Eric. have compared the foregoing copy of resolution with the original res-olution now on file at this of-fice, and which was passed by the Town Board of the Town of the Town Board of the Town of Cheektowage in said County of Erie, on the 7th day of April 1988, and that the same is a cor-rect and true transcript of such original resolution and the whole thereof whole thereof.
(SEAL)
In Witness Whereof I have

hereunito set my hand and af-fixed the seal of said Town this 7th day of April 1958.

KENNETH T. HANLEY Clerk of the Town Board, Town of Cheektowaga, New York (Publish: April 10, 1958)



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 smill 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

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 COMDUCT 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:

## POLLING PLACES

Cleveland Hill Fire Hall
Pine Hill Fire Hall
U-Crest Fire Hall
School No. 10, Alexander St.
Sloan Village Hall
Theodore Roosevelt School
Cheektowage Town Hall
Cayuga Fire Hall, Depen
Doyle Fire Hall No. 2, Willolaun and
Griswold Street
North Hill Elementary School
Tiorunda School

# PLECTION DISTRICTS

13, 14, 15, 16, 17, 19, 20, 21.
31, 32, 33, 34, 35, 36.
5, 26, 37, 38, 39.
140, 141, 142, 143, 144, 145.
146, 147, 148, 149, 50.
51, 52, 54.
1, 2, 14, 53.
3, 6, 7.

55, 56, 57.
8, 9, 10, 11, 12, 23, 24, 25.
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 authorised and directed to give notice of such special election by the publication of a certified copy of this resolution in the DEPEW HERALD & CHERATOWAGA MEMS and the CHERATOWAGA 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.

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

Supervisor	Holts	Voting	AYE
Counci.lman		Voting	AYE
Councilman	Wroblewski	Voting	AYE
Councilman	Bystrak	Voting	AYB
Councilman		Voting	AYE
Councilman		Voting	AYE
Councilmen	Fath	Voting	AYE

AYES: -7-

NOES: -0-

ABSENT: -Q-

LEGAL MOTICE
Town of Checktowaga
County of Eric
State of New York

## NOTICE OF SPECIAL ELECTION

PLEASE TAKE NOTICE that the Town Board of the Town of Cheektowaga, Eric 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 GREERAL 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 PLACES

Cleveland Hill Fire Hall
Pine Hill Fire Hall
U-Crest Fire Hall
School No. 10, Alexander St.
Sloan Village Hall
Theodore Roosevelt School
Cheektownga Town Hall
Cayuga Fire Hall, Depew
Doyle Fire Hall No. 2, Willowland
and Griswold Street
North Hill Elementary School
Tiorunda School

### RESCRICTS DISTRICTS

13, 14, 15, 16, 17, 19, 20, 21.
31, 32, 33, 34, 35, 36.
5, 26, 37, 38, 39.
40, 41, 42, 43, 44, 45.
46, 47, 48, 49, 50.
51, 52, 54.
1, 2, 4, 53.
3, 6, 7.

55, 56, 57.
8, 9, 10, 11, 12, 23, 24, 25.
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.

We 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. Holts, Supervisor Joseph A. Weibert, Councilman Felix T. Wroblewski, Councilman Stanley R. Bystrak, Councilman Joseph Trojanoski, Councilman Joseph Kornecki, Councilman Alancin Fath, Councilman

Dated: April 7, 1958

KERNETH T. HANLEY, Town Clerk

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

1 - Town Hall Balletin 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 DEPEN HERALD-CHRESTOWAGA MENS and the CHEEKTOWAGA TIMES:

11 40 STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA

Willal C. allis

Sworn to before me this...

APR 17 1958

., 19..

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

EVE J. ALLIS
NOTARY PUBLIC, STATE OF NEW YORK
Qualified In Eric County
My Commission Expires March 30, 19 59
Registered No. 5029

-KENNETH T. HANLEY, Town Clerk

lowing North His Tiorunda — The p o'clock P ÷Ι., the hour Time. bellot in No p less he of towaga I -waga, Josep Alancis (Dated: Apail

STATE OF NEW COUNTY OF ERIE

PECHAPD	Q.	(K) - 7 - K

being duly sworn, deposes and says that he is the

PUBLISHER

# Herald and News

a public newspaper published at Depew, Town of Checktowaga, 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 34 th day of ... Aprel. 1958 and the last insertion being on the ...... day of ....., 19....., and that mot pore than six days intervened between any two publi

Swarn to before me this .....

for Eric County

PETER

STATE OF NEW COUNTY OF ERIE

Vork

Town Board of the Town of Checkting the Site called a special town election to and seen at the Site say of April, 1958, and that there will the the qualified sinctors of said town, at said election, the

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the will be held at the following designated polling places with a decimal state of the following designated stoction dis-

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bell-be estimated to sole at such election unless he or she stated election of the York of Checkbowsky, New York, State of the Town of Checkbowsky, New York, at this Town Senect of the Town of Checkbowsky, New York,

Henedikt T. Halis, Supervisor Joseph A. Halis, Supervisor Joseph A. Halis, Connellman, Pelit T. Washlowski, Connellman, Stanler E. Bristrek, Connellman Joseph Rornschi, Councilman Joseph Rornschi, Councilman Alanein Fath, Connellman

April 7, 1950

RESOURCE T. HANLEY, Town Clerk A. BENNETT

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AFFIRE

STATE OF NEW COUNTY OF ERIE

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said seem of the Sith day of April, 1958, and that there will to the qualified decises of said town, at said election, the

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describes will be said it the following designated polling places and the following designated election discount for the following designated election discounts and the following designated election discounts are the following designated election discounts and the following designated election discounts are the follo

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Besedict T. Holis, Supervisor
Joseph A. Neibiert, Councilman,
Yells T. Wroblewski, Councilman,
Stonley E. Bystrok, Councilman
Joseph Trojanoski, Councilman
Joseph Kornecki, Councilman
Alancin Fath, Councilman

April 7, 1958

KENNETH T. HANLEY, Town Clerk BENNETT

and says that he is the

46

Item No. 32 This being the time and the place advertised for a public hearing for the purpose of considering the advisibility of smending the Sick Leave Ordinance of the Town of Checktownga 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 Toum of Checktowaga hereby authorises 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 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.

Item No. 33 Councilman Kornscki moved, seconded by Councilman Bystrak, that all claims presented at this meeting for sudit be approved and that the Town Clerk be authorised and directed to draw a warrant on the Supervisor for payment of same.

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

AYES: -7- NOES: -0- ABSENT:

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-

HOES: -0-

ABSENT:

35

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

SEAL

KENNETH T. HANLEY, Town Clerk

Kemila J. Hanley.

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At a regular meeting of the Town Board of the Town Item No. 1 of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Checktowaga on the 21st day of April, 1958, at 7:30 8'clock P.H., E.S.T., there were:

> PRESENT: Alamcin M. Fath Councilman Felix T. Wroblewski Councilmen Joseph M. Trojanoski Councilman Councilman Joseph A. Neibert Stanley R. Bystrak Councilmen

> Benedict T. Holts Supervisor ABSERT: Councilman Joseph Kornecki

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.

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

Referred to the Assessors for a property check the Item No. 3 petition for the improvement of Duchess Court by the installation of street lighting installation. 27

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

Ordered received and filed the report of the Town 1 29, 1958, References for the legalisation of Bingo Item No. 5 Ordered received and Clark of the April 29, 1958, Reference and for the financing and construction of a new Town Highway Garage.

Herto attached is a summary of the vote of said

Referentes

\* 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 MINUTES NO. 21, MAY 5, 1958, TOWN BOARD MINUTES

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Item No. 6 Councilman Trojanoski 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 Digestin Sewage Treatment Flant 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 Dome and weld new plates in Floating Roof Deck; Wire brush and paint steel of Floating Roof Deck; Paint interior of Digester No. 2.

WHEREAS, the same has been approved by the form Ragimeer and the Town Attorney.

BE IT RESOLVED, that the Supervisor be and he hereby is suthorised to approve the Change Order as submitted.

Seconded by Councilman Fath and duly put to a vote,

which resulted as follows:

Councilmen Weibert Councilmen Wroblewski Councilmen Bystrak Councilmen Trojamoski Councilmen Fath þ Voting I Voting I Voting I Voting I H AIR

ATES: ķ

HOLS:

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Ttem No. 7 Councilmen Trojenoski presented the following resolution and moved its adoption:

MHEREAS, emergency sever repairs were required on Allendab Road in Sanitary Sever District No. 5, which repairs were ordered by the Town Engineer, and will and waterials amounted WHEREAS, the cost of the work and materials amounted

\$984.38, and

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

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

BE IT RESULVED, that the vouchers of Straco, Inc., 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 Melbert and duly put to a vote, which resulted as follows:

vote, which resulted

Councilmen Weibert
Councilmen Wroblewski
Councilmen Bystrak
Councilmen Trojamoski
Councilmen Fath Voting Voting Voting Voting 

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ABSECT:

Item No. 8 Councilmen Trojenoski 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 meterials amount

to \$594.56.

BE IT RESOLVED, that the woncher of Straco, Inc. the amount of \$694.56, to do the work and furnish the materials, approved and ordered paid.

Seconded by Councilman Meibert and duly put to which resulted as follows:

Councilman Fath

Voting AIE Inc., Ħ

Councilman Weibert
Councilman Wroblewski
Councilman Bystrak
Councilman Trojanoski
MOES: -0-Voting AIE
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ABSIDIT:

Councilman Bystrak presented the following Item No. 9 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 saide 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 Checktowaga, Eric 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 REWS, 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:

> Gouncilman Wroblewski Voting AYE Councilman Bystrak Voting AIE Councilman Fath Voting AYB Councilman Meibert Voting AYE Councilman Trojanoski Voting AYE

AYES: -5-

HOES: -0ABSENT:

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 Warsew Street; 4 - Telephone Pole No. 58 on Warsew Street; 5 - Telephone Pole No. 74 on Warsew Street.

Hereto attached is a copy of the Motice published in the DEPEW HERALD-CHERKTOWAGA NEWS:

17 36

STATE OF NEW YORK	
	RECHAED G. BENNETT
SO RECEIP CERCITE A	being duly sworn, deposes and says that he is the
the Board of the Town of Cheek.  Sheek death located in the re- sheek of Reis, State of New York.  Sheek day maid on April 20, 1958, and  Sheet of maid meeting have been in	PUBLISHER. of the
reported in the Minute Book or see the secondance with law the papers of recording the papers of mid Spant.	Herald and News
to comment of the attached with safe minutes so	a public newspaper published at Depew, Town of Cheek-
A CONTROL OF THE PARTY OF THE P	towaga, Erie County, New York, that notice of which the
in this is matter referred to be said sainted.  Market resenter correctly state.	annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for
de de la constant de	
SIN WITNESS WINCILL	24th day of April 1958, and
Sent to the corporate	the last insertion being on the day of
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Weyne, grandmorher Mra, Amelia Ledwon unche had shain moubal man bas newbeat shanns and	

Notary Public in and for Eric County

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

APR 28 1958

STATE OF NEW YORK }

At a regular meeting of the Town Beard of the Town of Checktowars, Base County, New York, held at the Town Held, corner of Broadcier and Union Road, in said Town the Base of the Last day of the Last and the Last day of

Standard Time, there is a councilman in Fath. Councilman is Fath. Councilman is a Neibert, Councilman

bot T. Holtz, Sepervisor A Euraceki, Councilman madiman Bystrak presented theories resolution and moved class.

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ASSOCIATE DE L'ANDERS DE L'AND

The second secon

I. A regular meeting of the Town of Cheeks towags, a town located in the County of Eric, 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 sach minutes appear at page 44 of interesting a town of the Town of the Cheeks of the Chee

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 as
my hand and have here
unto affixed the corporat
seal of said Town, this 2
day of April, 1958,
KENNETH

RICHARD G. RENNETT

heing duly sworn, deposes and says that he is the

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 advisibility 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 Toun 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 smend 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 authorises the insurance carrier to pay all compensation claims directly to amployees entitled thereto:

2. Where compensation is so paid, the employee, in order to obtain the differential between compensation and regular pay, must petition the Tour Board on the first and/or the fifteenth day of each month, which differential may be granted only by Tour 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 Toum Clerk, shall be entered in the minutes and published at least once in the Depow Herald and Checktowage 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 Toun Clerk under the corporate seal of the Toun and showing the date of its passage and entry into the minutes.

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

Supervisor	Holts	Absent	
Councilman		Voting	AYE
Councilman	Wroblewski	Voting	AYE
Councilman	<b>Bystrak</b>	Voting	AYE
Councilman	Trojanoski.	Voting	AYE
Councilman	Fath	Voting	AYE

MOES:

AYES: -5-

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 DEPEN HERALD-CHERKTOWAGA NEWS:

STATE OF NEW YORK COUNTY OF ERIE

RICHARD	G.	BENNETT
---------	----	---------

being duly sworn, deposes and says that he is the

PUBLISHER.

of the

# Herald and News

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

AY 12 1958

Notary Public in and for Eric County

Item No. 10-Cont'd. Posted as follows on the 8th day of May, 1958: 1 - Town Hell Bulletin Board. Hereto attached is a copy of the Notice published in the DEPEW HERALD-CHKEKTOWAGA HEWS: STATE OF NEW YORK COUNTY OF ERIE RICHARD G. BENNETT towaga, Eric County, New York, held at the Town Hell in the said town of Checktowaga, New York, on the 21st day of April, 1958 at 7.3k e'clock P.M., Eastern Standbeing duly sworn, deposes and says that he is the DETROIT DOLLARS. A, Nichart, Councilman Fracklewski, Councilman E. Byetrak, Councilman Erojanoski, Councilman Fath, Councilman tot T. Holis, Supervisor

Extracki, Councilman

Missan Bystrak presented

Missair resolution and moved Miles, this Town Beard, at the first half March 17th, 1968, at resolution that the Town Hall, cornect at the Town Hall, cornect the terms of the ter sendway and Union Road, ings. Now York, on the of April, 1968, at 230 P.M., Esstern Standard the purpose of businessing street Ordinance and MS, notice of said pub-Career Checktowage piles izes the Insurance ork for a per than five (5) weeks, salary in full for the first week may be n if earned sick leave war of this resolution, certified by the Term Clerk, shall be entered in the minutes and published at least once in the Depew Herald and Cheektowaga News, a newspaper hiving 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 there of 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 Neibert and duly put to a vote, which resulted as follows: Supervisor Holtz, absent Councilman Neibert, voting Aye Councilman Wroblewski, voting Aye Councilman Bystrak, voting Aye Councilman Trojanoski, voting Aye Councilman Kornecki, absent Guncilman Fath, voting Aye

AYES: 5; NOES: 0; ABSENT: 1

to of New York

# 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 DEPEN HERALD-CHEEKTOWAGA NEWS:

### STATE OF NEW YORK

or his resident and the life to the Legin here, that it is entered in the minutes and published at least outs in the Dopew Herald and Checkfowaga News, a newspaper laving a general circulation in the town, and

case knowing a general circulation in self town and. That the Town Clerk post or cause to be posted conspicuously-cas a signbourg maintained by him the entrance of the Town-Clerk's Office, a cartified appy of this research and affiliavit of the publication and posting there of chall be a successful to the publication and posting there are clerk.

and the same

The American States of the American States of

In Witness Whereof, I have helyomito set my mand said affixed the seal of said Twen this 5th day of May 1958.

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

#### RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

Item No. 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 Greek 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 Mussbaumer, 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 Elard 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 DEPEN HERALD and CHERETOWAGA MENS, 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 swreties, 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

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

# MOTICE TO CONTRACTORS

NOTICE IS HEREST GIVEN that pursuant to a resolution of the Town Board of Cheektowaga, Eric County, New York, scaled 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 Nussbaumer, 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 Mussbaumer, Clarke & Velsy, Consulting Hagineers, 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, Brie 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 21, 1958 KERNETH T. HANLEY

Town Clerk

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

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

AYES: -5-

MOES: -0-

ABSENT: -2-

1

Hereto attached is a copy of the Notice published in the DEPEW HERALD-CHERKTOWAGA MEMS:

STATE	OF.	NEW	YORK
COUNT	Y O	P KIM	T.

See Seaso of Checktowens State of Checktowens State St

### RECHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHES.

..... of the

#### Depen Chektoway Rerald and News

sore than six days intervened between any two publi

cations thereof

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Sworm !	to	before	me	this	****************	day	of
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APR 28 1958

garded sort and oose ?

in our guaranteed Code

. 19..

Notary Public in and for Eric County

### STATE OF NEW YORK COUNTY OF EREE

RECHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of Alexander Ayenne to with approach of dewalk and apparetuning work in accordance the contract decuments has highling plans, specifications to bidders, etc., at by Numbermey, Clarke of Cheekbowaga, New and approach by the Town all of which are on file with we Cark at his office in the Hall, Broadway at Union Cheekbowaga, New York, the ame may be examined the usual business hours, the office of Number of the proposed contract ants, plans, specifications shid chims to bidders may also be at the office of Number Cheekbowaga, Pranklin Street, They York One copy of account formations and contract ants, plans, specifications and chims to bidders may also be allowed to the proposed of Number Cheekbowaga, the office of Number Cheekbowaga, the office of Number Cheekbowaga, the stating of bids printed the full uncount deposes non-bidders will the resumer of Cheekbowaga, Erie

Town Clerk

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

RESOLVED, that the Miagara Mohawk Power
Corporation be authorized to equip the nine (9) 13h8 lighting
standards to be installed in Walton Drive with 4000 Lumen lawps.

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

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

AYES: -5-

MOES: -O-

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

MAMES 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

10

Delmar Avenue

Cleveland Drive Wilshire Rd.

TYPE OF STREET LIGHTING INSTALLATION

5 I 19 Ornsmental 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 while the relief sought, by the installation of street lighting equipment hereinabove particularly described along said streets, and

# Item Mo. 13-Cont'd.

BE IT FURTHER RESCLVED 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 Eric 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
Councilman Wroblewski
Councilman Trojanoski
Councilman Neibert
Councilman Bystrak
Voting AYE
Voting AYE
Voting AYE

AYES: -5-

MOES: -O-

ABSENT: -2-

2

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

AYES: -5-

MOES: -O-

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 Checktowaga, New York, to operate cambuses on and along a certain highway of the Town of Checktowaga, 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
Checktounga, New York, HERESI CONSENTS to the operation of the Buffalo
Transit Company, Inc., of camibuses for the transportation of
passengers on the following highway located entirely within the Town
of Checktounga, 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
Councilman Trojanoski
Councilman Neibert
Councilman Bystrak
Councilman Fath

Voting AYE
Voting AYE
Voting AYE

ATES: -5-

10ES: -0-

ABSENT: -2

42

30

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

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

Seconded by Councilman Trojanoski.

AYES: -5-

MOES: -0-

ABSERT: -2- 4/2

Item Mo. 17 Moved by Councilman Meibert, 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.

ATES: -5-

HOES: -0-

ABSECT: -2-

Item No. 18 Councilmen 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 Weibert
Councilman Wroblewski
Councilman Bystrak
Councilman Trojanoski
Councilman Fath
Voting AYE
Voting AYE
Voting AYE

AYES: -5-

MOES: -0-

ABSENT: -2-

20

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 dulyput to a vote, which resulted as follows:

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

AYES: -5-

MOES: -0-

ABSENT: -2-

18

Moved by Councilman Trojanoski, seconded by Item No. 20 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 Edward Stachowski - IncineratorPlant Stanley Senko - Incinerator Plant

AYES: -5-

MOES: -0ABSENT: -2-

20

Councilman Trojanoski 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 Motics to Bidders.

BE IT RESOLVED, that his request be granted and that the Town Clark 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 MEMS, 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 then 2:30 o'clock P.M., on May 5, 1958, at which time they will be publicly opened by the Toum Board at a meeting called for that purpose, to be held at the Town Hall, corner of Broadway and Union Road, Checktomga, New York.

That the Notice to Bidders shall be in substantially the fellowing form:

### MOTICE TO BIDDERS

The Town of Checktownga 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 Term 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, Cheektowage 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 Checktowage 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 Neibert and duly put to a vote. which resulted as follows:

> Councilman Neibert Voting ATE Councilman Wroblewski Voting AYE Councilmen Bystrak Voting AYE Councilmen Trojanoski Voting AYB Councilman Fath Voting AYE

ATES: -5noes:

ABSENT:

18

# SPECIFICATIONS for a

# HARLEY-DAVIDSON POLICE SERVI-CAR

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

Transmission - Constant mesh, three speed and reverse.

Additional Equipment:

Safety Guard

Air Cleaner

Rear Bumper

Deluxe Solo Saddle

Police Decal.

Front wheel siren

Directional signals

Rear view mirror

Pursuit lamps

Sole Shield

Heavy Duty Generator

Hereto attached is a copy of the Notice published in the DEPEN HERALD-CHERKTOWAGA NEWS:

STATE OF NEW YORK COUNTY OF ERIE

The state of the s

richard G. Bennett
--------------------

being duly sworn, deposes and says that he is the

PUBLICATION.

of the

# Herald and News

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

APR 28 1958

Notary Public in and for Eric County

Item No. 22 Councilman Neibert moved, seconded by Councilman Trojanoski, that the Town Clerk be authorised 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-

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.

HOW, 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.H., 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 CONFLIANCE

No building bereafter 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 Checktowaga 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 Neibert and duly put to a vote, which resulted as follows:

Councilman Neibert Councilman Wroblewski Councilman Bystrak Councilman Trojanoski Councilman Fath

Voting AYE excused

Voting AYE

Voting AYE

AYES: -3-

NOES: -O-EXCUSED: -2ABSENT: -2-

46

MOTION LOST.

WHEREAS, the Zoning Board of Appeals of the Town of Checktowaga, New York, held a public hearing for the purpose of considering the application of Loblaw Inc., for the resoning of premises romanded the purpose of the property hereinafter trict 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 greating the application of the petitioner to resone 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

OF LAND situate in the Town of Checktowaga, County of Eric and State of New York, described as

The entire of New York, described as fallows:

REGENNENG 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.

purposes.
Dated: April 21, 1958.

KENNETH T. HANLEY,

Town Clerk, Town 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

New Bells held a public matter than the application of Lobbew Inc., as the application of Lobbew Inc., as the reconing of premises from a therinal District to Business District of the property hereinafter meribed and amending the Zoning is and Ordinance accordingly. WHEREAS, the Zoning Board of the light having rendered for decision granting the application of the selfioner to remone from Residential District to Business District the homestates for described his erty hereinafter described, be ESSOLVEN, that the decision of the Zeming Board of Appeals granting See application of the petitioner to relicion precisions from Residential District to Business District he and the same is haveby continued be in LESSOLVED by this Town Board Bill the Ordinaries appeal December 21, 1942, and as now amended setting the same Sarroby is amended setting the same Sarroby is amended by change the following described property from that of Residential District to Business District. the Platrict to Seamers Clearlet.

DESCRIPTION

ALL THAT TRACT OR PARCEL

SP. LAND, situate in the Town of Checktoways, County of Rice and State of New York, described as follows:

BEGINNING at the intersection REGINNING at the intersection of the westerly line of Transit Read, with the acutherty line of Louis Road; regarding thence Mitherly along the westerly line of Transit Road, 748 feet; thence westerly generally parallel with the abutherly line of Louis Road, 750 feet to a point thence northRICHARD G. MENNETT

being duly sworn, deposes and says that he is the

PUBLISHEE of the

# Herald and News

a public newspaper published at Depew, Town of Cheek-
townga, Erie County, New York, that notice of which the
annexed printed slip taken from said newspaper, is a copy,
was inserted and published therein once a week for
1 AT 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 publi
cations thereof
cations thereof.  Lichary & January

Sworn to before me this

Notary Public in and for Eric County

#### Item Mo. 24-Cont'd.

Posted as follows on the 5th day of May, 1958: 1 - Town Hall Bulletin Board.

Herete attached is a copy of the Notice published in the DEPEN HERALD-CHEEKTOWAGA NEWS:

STATE OF NEW YORK COUNTY OF ERIE

Accepted to the term of the control of the purpose of desider ing the application of looking inc. for the purpose of presider from the rezoning of presides from the property hereinafter as the property hereinafter the Zoning dential District to Business Dis-ting the property hereinafter that and amending the Zoning and Ordinance accordingly,

MEDICAL AND Zoning Board of the leaving remarked its decision of the sections to remone from Residential their case to Business District the leaving hereinstear described, be

MOLVED, that the decision of ening Board of Appeals grantan application of the petitioner stepse presides from Resiliential lifet to Business District be and ne is hereby confirmed, he it

CLVED, by this Town Board in Ordinance adopted Decem-1, 1942, and as now smeaded the same hereby is smeaded the same hereby is smeaded the same the following describ-sparse the following describ-sparse the following describ-sparsy from that of Residen-PRISCRIPTION
THAT TRACT OR PARCEL

Markets in the Town of County of Eric and Mew York, described as

CANVING at the intersection is westerly line of Transit with the southerly line of Road; running thence may along the westerly line of Road. 783 feet: thence with generally parallel with sutherly line of Losson Road, rest to a point; thence north-line of Losson Road; and easterly along said south-line of Losson Road 2750 feet point of beginning, containments of the sound only for business indeed. CENTING at the intersection

Lated: April 21, 1958,

myi

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

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

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

25

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

13

Item No. 27 Councilman Bystrak moved, seconded by Councilman Heibert, that all claims presented at this meeting for sudit be Councilman Bystrak moved, seconded by Councilman approved and that the Town Clerk be authorised and directed to draw a warrant on the Supervisor for payment of same.

Warrant No. 896 to Warrant No. 1063, inclusive,

drawn on the Supervisor.

AYES: -5MOES: **~**  ABSECT: -2-

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

SEAL

KENNETH T. HANLEY Town Clerk.

Kenneth T. Hanley.

10

42

36

10

10

32

Item No. 1 At a regular meeting of the Town Board of the Town of Checktowaga, Eric County, New York, held at the Town Hall in the said Town of Checktowaga on the 5th day of May, 1958, there were:

FRESENT: Alancin M. Fath
Felix T. Wroblewski
Joseph Kornecki
Joseph M. Trojanoski
Joseph A. Neibert
Stanley R. Bystrak

Councilman
Councilman
Councilman
Councilman
Councilman
Councilman
Councilman
Councilman

ABSENT: Benedict T. Holts

Supervisor

Also present were: Town Clerk Hanley; Town
Attorney Delahunt; Chief of Police Mersmann, and Chairman of the
Zoming Board of Appeals Kurnick.
Due to the absence of Supervisor Holts, Councilman

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

Item No. 2 The Clark 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 Tourn 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 smong those receiving raises."

Item No. 4 Referred to the Town Engineer the request of Leo D. DiBernardinis to purchase Lot No. 1419, m/c/962, which is now owned by the Town.

Item No. 5 Referred to the Assessors the communication from Kevin Kennedy, Counselor at Law, relating to Chapter 261, Laws of 1958, as it affects Catholic Church Rectories.

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.

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.15 relating to a dwelling at No. 162 Cayuga Creek Road which is unfit for human occupancy.

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

WHEREAS, Arthur F. Muserra, D & C Building Co., Inc., and Claudette, Inc., have entered into an agreement with the Town of Cheektewaga, New York, wherein said Arthur F. Muserra, 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 Brie 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 Brie County Clerk's Office, under Cover No. 1070.

and

WHEREAS, Arthur F. Musarra, 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 Hime Hundred Highty-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. Musarra, D & C Building Co., Inc., and Claudette, Inc., and the Teum of Cheektowaga, New York, on behalf of the Teum of Cheektowaga, New

Yerk, 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 Checktewaga for said highway.

Seconded by Councilman Neibert and duly put to a

vote, which resulted as follows:

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

AYES: -6-

NORS: -0-

ABSERT: -1-

#### ACREMENT

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 Brie, State of New York, party of the first part and ARTHUR F. MUSARRA, of 335 Ellicott Square Building, Buffalo 3, New York, D & C BUILDING CO., INC., a corporation organised 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 secend 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-Coated.

requested the form of Cheektosegs to accept as a town lighway HREMERTH NOLD, commencing at the intersection of the north line of Readoulans and proceeding merkerly, a distance of 562 feet, as about on a Map of Reservith Fart, filled in the Mrd Court into a southwat the form of Cheektosegs, to place topping on said etwest and complete the same so that the seas Hill comply with the pactifications of the form of Cheektosegs, to place topping on said etwest and complete the same so that the parties of the second part agree to place topping on Reservith Road, commencing at the intersection of the form of Cheektosegs, Hew Fork.

IT IN HEREN, IT IS HEREN

TOWN OF CHEEKTOWAGA, MEW YORK By S/S Benedict T. Holts Supervisor

D & C BUILDING CO., INC.

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

Commission Training Institute at Canton, New York, on July 27, 1958 thru August 1, 1958. 31 42 ABSECT: -1-AYES: -6-NOES: -0-Moved by Councilman Kornecki, seconded by Item No. 70 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. 18 ABSENT: -1-AYES: HOES: -0--6-41 Moved by Councilman Neibert, seconded by Councilman Item No. 11 Kornecki, 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. 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. Southwest corner of Danbary Drive & Woodridge Ave. 13. Mortheast corner of Danbury Drive & Woodridge Ave. BE IT RESOLVED, that the Chief of Police be authorised and directed to install same signs as soon as it is reasonably possible. 18 ABSENT: MOES: -0--1-AYES: -6-41 Councilman Bystrak presented the following resolution and moved its adoption: RESOLVED, that the New York State Electric and Cas Corporation be authorised 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: Voting AYE Councilman Fath Councilman Wroblewski Voting AYE Councilman Neibert Voting AYE Councilman Bystrak Voting AYE Councilman Trojanoski Voting AYE Councilman Kornecki Voting AYE ABSENT: NOES: -1-AYES: -6-27

Moved by Councilman Kornecki, seconded by

Councilman Meibert, that Detective Sergeant Harold J. Kuehlewind be authorized and directed to attend the New York State Youth

Item No.

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 woucher 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 Meibert and duly put to a

vote, which resulted as follows:

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

AYES: -6-

HOES: -0-

ABSECT: -1-

6 14

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 1930 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

WHEREAS, at a meeting of said Town Board duly called arm 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 WHERRAS, 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

RESCLVED, 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 fest 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 Mussbeumer, Clarke and Velzy, Consult-

RESOLVED, that Mussbaumer, Clarke and Velsy, 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

RESOLVED, that said Numeracure, 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 preposed contract shall be presented to this Board as soon as reasonably possible.

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

Councilman Wroblewski Councilman Bystrak Councilman Fath Councilman Weibert Councilman Trojanoski Councilman Kornecki þ Voting Voting Voting Voting Voting THE SHA

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

SELV

WHEREAS, this Town Board has heretofore determined it to be in the public interest to improve Goering Avenue, by the construction of lateral sewers, together with all other appurtement 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 Busshaumer, Clarks & Velmy, 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 lown Clark and the same having been carefully examined by the

Term Board and approved.

BE IT RESOLVED, that sealed proposals be invited for the furnishing of labor and materials necessary for the doing of the sork for the construction of said improvement in the aforementioned highway in accordance with the 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 DEPEN HERALD and CHEEKTONAGA MERS, 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 sem 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 penalraum 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 except such further security as may be required for the faithful performance of the contract, and be it further

RESOLVED, that scaled proposals be received and considered publicly at a meeting of the Town Board of the Town of Checktowaga, at the Town Hall, corner of Broadway and Union Road in the said Town of Checktowaga, 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 mabstantially the following form to wit:

#### NOTICE TO CONTRACTORS

MOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of Cheektowaga, Eric County, New York, scaled proposals will be received and considered by said Town Board on the 19th day of May, 1958, at 7:30 p.m., EDST, in the Town Hall, Broadway at Union Road, Cheektewaga, New York, 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 Read and 990 lineal feet of 8-inch dismeter 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 appurtement work in accordance with the Contract Documents, therefor, including Plans, Specifications, Instructions to Bidders, etc., prepared by Hussbaumer, 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 Tewn 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 Musebaumer, 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, Eric 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 bend 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.

KEMMETH T. HANLEY Tour 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 Meibert Voting AYE
Councilman Bystrak Voting AYE
Councilman Trojanoski Voting AYE
Councilman Kornecki Voting AYE

ATES: -6-

NOES: -0-

ABSENT: -1-

Hereto attached is a copy of the Notice published in the DEPEN-MERALD-CHEEKTOWAGA NEWS:

24

STATE OF NEW YORK COUNTY OF ERIB

RICHARD	G.	PENNETT
	*****	

being duly sworn, deposes and says that he is the

PUBLISHER

. ...

### Herald and News

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

1)4- 4

Notary Public in and for Eric County

#### STATE OF NEW YORK COUNTY OF ERIE

in the construcgapharimans) 345 lineal d Bluch diameter pipe on Road aid 900 lineal feet of diameter pipe on Georing in Sanitary Sewer District Hown of Cheektowaga, Eric W. New York, including manwye branches, raiser pipes Mer appurtenent work in acests, therefor, including Plans, theretor, including rians, leadings. Instructions to Bid-dicy propered by Mussiaum-state & Velsy, Consulting En-light the Town of Checktow-town and approved by the Beard, all of which are with the Town Clerk at his the News Hall, Broadway on Road, Cheektowaga, New there the same may be exampled the usual business

the proposed Can ibn setained upon 200 Any bidder, day said Plans and Conconstituents in good condition, select (26) days following of bids will be refund amount of his deposit; are will similarly be reone half the deposit. y. New York, reserves the to reject any or all bids, or ive any informalities, or to an award to other than the ler.

by a certified check for a stall to five per certum (5%) detimined expense of the approximately payable to the stall continue of the the Supervisor, or a equal to five per cen-(8%) of the estimated exthe improvement, condi-that if his proposal is ache will enter into a confor the same, and that he will such further security as required for the faithful We trinder may withdraw his bid

this sixty (60) days after the late set for the opening thereof, withdraw same at any withdraw same at any leaves to the scheduled time the opening of bids.

May 1, 1958

KENNETH T. HANLEY

Town Clerk

RICHARD G. BENNETT

Item No. 16 Councilman Kernecki presented the fellowing resolution and moved its adoption:

WHEREAS, the Town Board deems it necessary to re-adopt Section 2h 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 2h 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. We 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 few 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 sutherised and directed to publish a certified copy of this resolution in the DEPEW REFALD-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 Fath	Voting AYE
Councilman Kornecki	. Voting AYE
Councilmen Trojanos	
Councilman Neibert	
Councilman Bystrak	Voting AYE
Councilmen Wroblews	

AYES: -6-

HOES: -O-

ABSENT: -1-

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

1 - Town Hall Bulletin Board.

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

STATE OF N	
COUNTY OF	ERIE

The Councillant of the Councillant of the Council o

RICHARD G.	P. H. N. P. F. F.
------------	-------------------

being duly sworn, deposes and says that he is the

PUBLISHER

of the

### Herald and News

a public newspaper published at Depew, Town of Cheektowaga, Eric County, New York, that notice of which the
annexed printed slip taken from said newspaper, is a copy,
was inserted and published therein once a week for
week, the first insertion being on the
day of May, 1955, and
the last insertion being on the
19..., and that not
more than six days intervened between any two publications thereof.

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

MAY 12 1958 10

Notary Public in and for Eric County

STATE OF NEW YORK COUNTY OF ERIE

1111

RICHARD G. BENNETT

ist such hearing all persons and compliance permit is stated in the subject matter leaf shall be given an opposition of the publish and be if further collywed, that the Town Clerk leaf thereby is authorized and that to publish a certified copy like resolution in the DEFEW ALD-CHEEKTOWAGA NEWS.

\*\*Swepsper having a general circulton in said town, not less than 1(10) nor more than twenty (20) deep prior to the date of the hearing, and that on or before said sate he 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:
Councilman Fath, Voting Aye Councilman Kornecki, voting Aye Councilman Neibert, voting Aye Councilman Neibert, voting Aye Councilman Neibert, voting Aye Councilman Wroblewski, voting Aye Councilman Wroblewski, voting Aye Councilman Neibert, voting Aye Councilman Wroblewski, voting Aye Councilman Wroblewski, voting Aye Councilman Second Second

STATE OF NEW YORK COUNTY OF ERIE

Salar Maria

the figure of the large of the This resolution in the DEPEW METALD CHEEKTOWAGA NEWS, a newspaper having a general circulation in said fourn, not less than \$\(\frac{1}{2}\) nor more than inventy (20) for prior to the date of the hearing and that on or before said his post, or cause to be posted assessmily, on a signboard of interest office, a certical form of this resolution.

Line Town Clerks office, a certical by Councilman Neibert which put to a vote which related by Councilman Neibert with put to a vote which related to follows:

Line Township Aye

Line Cash

Line Cash MEALD CHEEKTOWAGA MEWS,

of resolution with d care was smeet and delta form of the Thorn of the said Creenty of the said the said to the said the

have hereunto set my bend and affixed the scal of mid Town this 5th day of March 1968. EXEMPLIAT, HANLEY,

the Town Board, Town of Cheektowaga, N.Y.

RICHARD G. BENNETT

18

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

The Town Clark 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 Madler 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.

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 Mussbaumer Clarke and Velsy, Consulting Engineers for the Town of Cheektowaga.

The Town Clark 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:

FOOT BRID	βÉ AΤ	THE		SUMI OT OF AL OWN OF	* * * * * * * * * * * * * * * * * * *	THE PERSON NAMED AND ADDRESS OF THE PERSON NAMED AND ADDRESS O	E. 0\	プログライヤー かいとうかん だっしゅん	AJAQ	UADA CR	ZEEK				an was
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# R AVE. OVER SCAJAQUADA CREEK (Tovaga, N.Y.

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BIDS RECEIVED: MAY 5,1958 2:30 P.M. E.D.T

#### Item No. 18-Cont'd.

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

Councilman Trojanoski moved, seconded by Councilman Item No. 19 Nelbert, 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.

AYES: -6**HOES:** 

ABSENT: -1-

Councilman Kornecki moved, seconded by Councilman Trojanoski, that all claims presented at this meeting for andit be approved and that the Town Clerk be authorised 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.

AYES:

IOES:

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

Alancin M. Fath. Councilman Joseph Kornecki, Councilman Joseph M. Trojanoski, Coun-

cilman Joseph A. Neibert, Council-

Stanley R. Bystrak, Council-

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 Cheekto-waga, 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,

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

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 19th day of May. 1958, at 7:30 P. M. Eastern Daylight Saving Time to consider the said petition and to hear all 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, cer-tified by the Town Clerk, be published at least once in the Cheektowaga Times, a news-paper 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 or-der be posted conspicuously in five public places on each of the said highways to be im-proved not less than ten (10) nor more than twenty (20) days 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 Ave Councilman Trojanoski voting

Aye Councilman Neibert voting

Councilman Bystrak voting Aye Councilman Wroblewski vot-

ing 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, KEN-NETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on 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.

6

35

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

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 last publication .... and that no more than six days intervened between publications.

Willand C allis

Sworn to before me this......

MAY 16 1958

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

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

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

27

STATE OF NEW YORK COUNTY OF ERIE TOWN OF CHEEKTOWAGA

Received the state

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 in said paper once a week for 8 1958 MAY first publication ... last publication MAY 8 1958 and that no more than six days intervened between publications.

Willand C. allis

MAY 16 1958

At a regular meeting of the fown Board of the Town of heektowaga, Eric County, New York, held at the Town Hall, a said Town of Cheektowaga, m, the 5th day of May 1998, at 130 o'clock P. M., Eastern Daylash Saving Time, there were: PRESENT:

Alancin M. Fath, Councilman Joseph Kornecki, Councilman Joseph M. Trojanoski, Councilman seph A. Neibert, Councilniev R. Bystrak, Council-Felix T. Wroblewski, Coun

ABSENT:

ABSENT:

Besedict T. Holtz, Supervisors

Mr. Bystrak offered the folwing resolution and moved its

times for the owing resolution and moved its dontion:

WMEREAS, a petition for the sumovement of both sides of the public highways situated in the Consolidated Lighting Dispite of the Town of Checklopies, hereinafter particularly its Jorth, by the installation of theet lighting equipment hereinafter particularly described was presented to this Town board on the 21st day of April. 1964.

Paged on the 21st day of April.
1968.
PUBLIC HIGHWAYS TO BE
IMPROVED
NAMES OF BUCHWAYS
Duchess Court
FROM
Beach Road
Do Street
INSTALLATION
Three 30 Y 19 Standards
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issearded by the owners of more fisses one-half of the entire designation one-half of the entire designation of said highways to be improved, as aforesaid, and WHEBEAS, the portions of said highways to be improved the situated entirely in said Town outside of any isoconorated village or city theorem.

NOW THEREFORE, IT IS HEREBY ORDERED that the fown Board of the Town of Cheektowage meet at the Town of Cheektowage on the 19th day of May, 1958, at 7.30 P. M. Esstern Daylight, Saving Time to consider the said petition and to hear all-persons interested in the subject thereof concerning the same and

persons interested in the subject thereof concerning the fame and the subject thereof concerning the fame and the subject that a copy of this order, eer tified by the Town Clerk, be sublished at least once in the Cheektowaga Times, a newamer of the Town not less than ten (10) nor more than the subject therein for the hearing aforelaid and that copies of this order, be posted conspicuously in tive public places on each of the said highways to be improved not less than ten (10) nor more than twenty (20) days before the desired and two before the desired and two posted conspicuously in the posted conspicuously in

the said highways to be im-proved not less than ten (10) nor more than twenty (20) days before the day designated for the hearing as aforesaid.

Seconded by Councilman Kor-necki and duly put to a vete which resulted as follows:

Councilman Fath voting Ayà Councilman Kornecki voting Aye Councilmen Trojanoski voting Aye Councilmen Neibert voting

Aye Councilman Bystrak voting

Councilman Bystrak voting.

Aye
Councilman Bystrak voting.

Aye
Councilman Wroblewski votfing Aye
Ayes: 8: Noes: 8: Absent: 1.

STATE OF NEW YORK

ERIE COUNTY
OFFICE OF THE CLERK ) 2:
OF THE TOWN OF
THE TOWN OF
THE TOWN OF
THE TOWN 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 foresoing copy of
tresolution 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 cetifunal 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
Sth day of May, 1958.

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

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

Hereto attached is a of the

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

Clerk

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POLITIC PLACES		100		ION NO.		TICK NO. B	
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TOTAL	2833	421	4	945	1201	919	
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POLLING PLACES BIRGO PROPOSITION reposition no YES HO CLEVELAND HILL FIRE HALL  $\Rightarrow$ 0 PENEMHETAN BETTER BEATAN 50 -CREST FIRE HALL SCHOOL NO. 10. ALEXANDER ST. 90 3 0 0 SLOAN VILLAGE HALL ىح 358 3. 62 THEODORG EOGSEVELT SOMOGE 24 5 CHERTOWALL TOWN RALL /~ 3 CAYUGA PIRE HALL, DEPEN جَ  $\Rightarrow$ 3 3 16 72 V DOYLE FIRE HALL NO. 204 چے 0 5 6-FORTH RILL REPORTANT SCHOOL 27 ( 6 TICEULE'S £35. <u>5</u>-113 Š 2833 42 120 TOTAL 1273 YES Proposition No. 1 NO YES Proposition No. 1 NO.

of the land for t o. 21 Ordered april 29, 1958, 1 the financing an received and filed Referendum for the nd construction of a . the report of the Tow legalization of Bingo a new Town Highway Garv Garage. Town Clerk

Referendum

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Item No. 21 -A This page of the minute book is dedicated to C. Chase Zalenzzi, former Town Supervisor from January 1, 1932, to December 31, 1947, and prior to that Mr. Zalenski 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 Cheektewaga. His many years of faithful and efficient service will be remembered by all.

42

# Memorial Resolution

**粗打**食工具设施, 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

IMATERS, 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

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

RESOLUTED, 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

DATED: May 5, 1958

Town Clerk

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

SEAL

KENNETH T. HANLEY Town Clerk

Kennein T. Hanley.

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17

42

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Eric 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

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

ABSENT: -O-

Also present were: Town Clerk Hanley; Town Attorney Delahunt; Assistant Engineer Shisler, and Chief of Police Meramann.

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 four Easth	Officer relating	to premises loca	ted at No.	
	unfit to be occ			

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

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

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

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

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

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

WHEREAS, R. Affrenti Construction Co., Inc., has entered into an agreement with the Town of Cheektowaga, New York, wherein the said R. Affrenti 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 Brie 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 Eric County Clerk's Office under Cover No. 2069 and further described as follows:

#### Item No. 9-Contid.

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. Affrenti 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 Mine Hundred Minety-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 authorised to execute the annexed agreement between the Town of Cheektewaga, New York and R. Affrunti Construction Co., Inc., on behalf of the Town of Cheektewaga, New York, and be it further

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

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

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

AYES: -7-

NOES: -O-

ABSENT: -O-

#### ACR KEMENT

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 Brie, State of New York, party of the first part and R. AFFRUNTI 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. Minety (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 Minetyone (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-mine (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. Minety (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.

ACREED, 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 ACREED, 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,

ACREED, 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,

ACREED, 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 WITHESS 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. AFFRUNTI CONSTRUCTION CO., INC.

By: B/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, Buffalp, 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
Councilman Neibert
Councilman Wroblewski
Councilman Bystrak
Councilman Trojanoski
Councilman Kornecki
Councilman Fath
Voting AYE
Voting AYE
Councilman Fath
Voting AYE

AYES: -7-

NOES: -O-

ABSENT: -O-

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 hereinafer described highways:

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

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 Frankiin Street, Buffalo, New York, to prepare definite plans and specifications and make a careful extinate 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 RESCLVED, 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, ora 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 asmay 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, Eric County, New York, scaled 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 Cheektewaga, Erie County, New York, including manholes, receivers, and other appurtement work in accordance with the contract documents therefor, including plans, specifications, instructions to bidders, etc., prepared by Mussbaumer, Clarke & Velsy, 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 Hussbaumer, 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 saidplans and contract documents in good condition, within twenty (20) days fellowing the taking of bids will be refunded the full amount of his deposit; non-bidders will simurily be refunded only one-half the deposit.

The Town of Checktowaga, Eric 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 cantract 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 therof, 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 vete, which resulted as follows:

Supervisor Holts	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewski	_
Councilman Bystrak	Voting AYE
Councilman Trojanoski	
Councilmen Kornecki	Voting AYE
Gouncilman Fath	Voting AYE

AYES: -7NOES:

ABSENT:

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 HEREST CIVES that pursuant of a resolution of the Town Board of Chilektowage, Bris. County, New York sealed propo-mis will be received and countered mis 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 Julion Road, Checktowaga, New Jork, for furnishing all materials, tools, equipment, and together with labor for the construction of the constructio improximately 18,700 square yards pavement, 12,320 lineal feet of construction, 1,335 lineal feet of 24 inch, 1,315 lineal feet of 18 inch, 230 lineal feet of 15



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35 AN WYIN ELT TYNCYEL thes an essert 

RECHARD G. BENNETT

being duly sworn, deposes and says that he is the

PIRE BUILD ..... 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 ......O.KL. week , the first insertion being on the - Randay of May 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.

Sworn to before me this ...... day of 1958

#### Item No. 11-Cont'd.

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

> Voting AYE Supervisor Holts Councilman Neibert Councilman Wroblewski Voting AYE Voting AYB Councilman Bystrak Voting AYE Councilman Trejanoski Voting AYE Voting AYE Councilman Kornecki Councilman Fath **Voting AYE**

AYES: -7-

MOES: -0ABSENT: -0-

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

1 29 A

STATE OF NEW YORK

STATE OF NEW YORK

COUNTY OF ERIE

NOTICE—IS HEREEST GUTEN
hat pursuit the approbation of the
Town Board of Childrowspe, Refu
founty, New York-yielded, propomis will be received and coinsidered
by said Town Board on the 2nd day
of Jame, 1958, at 2:30 pm, E.D.S.T.,
in the Town Hall, Broadway at
Jame, 1958, at 2:30 pm, E.D.S.T.,
in the Town Hall, Broadway at
Jame, 1958, at 2:30 pm, E.D.S.T.,
in the Town Hall, Broadway at
Jame, 1958, at 2:30 pm, E.D.S.T.,
in the Town Hall, Broadway at
Jame, 1958, at 2:30 pm, E.D.S.T.,
in the Town Square yards
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during the usual business of the proposed contract states, plans, specifications and management of the proposed contract states and plans, specifications and management of the proposed comments of the proposed documents may be a proposed documents may be a proposed document of \$30.00.

The proposed documents may be a proposed document of \$30.00.

The proposed documents in sood condition, within twenty (20) days following the taking of bids will be refunded the full smount of the deposit; non-bidders will similarly be refunded only one-belf the deposit.

The Town of Checking Towns also proposed to the proposed to th

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

mase an award to other than the masse an award to other than the flow bidder.

Each proposal must be accompanied by a certified check for a same equal to five per centum (3%) of the estimated expense of the total improvement payable to the lowder of the Supervisor, or a bond with sufficient sureties, to be approved by 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 ester into contract for the same, and that he will execute such further security as may be required for the faithful performance of the contract.

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

ESCHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

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 Motice to Bidders in the DFPEW HERALD and CHEERTOWAGA 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 scaled 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 wote, which resulted as follows:

Supervisor	Holtz	Voting	AYE
Councilman		Voting	
Councilman		Voting	
Councilman		Voting	
Councilman	•	Voting	
Councilman		Voting	
Conneilman		Voting	

AYES: -7-

NOES: --O-

ABSENT: -O-

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

#### AFFIDAVIT

# STATE OF NEW YORK COUNTY OF ERIE

The Sent of C	Principal princi
In Links or and "	period bids he re-
coived for the pe	recent of the (2)
trucks, further by	the Highway De
partment.	ifications may
The detailed a	pecifications may the office of the
De examined at	ere the same are
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on file.	the specifications
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ATE MINUTE AVAILAD	led bids must be
managed not later	than 2:30 o'clock
10 M on June	2, 1958, at which
stone they will h	e muhliciy opened i
her the Town B	oard at a public
Kaming called for	or that purpose to t
he held at the	rown Hall, corner l
of Recadusy 8	nd Union Road,
Le Thurstet courses Ne	ow York.
The Town of	Cheektowaga re-1
service the right	to reject any and
latt hide or to u	raive technicai de-i
Shows in hide if	it be in the public !
interest of the	Fown of Cheektow-
aga to do so.	
This notice is	published by direc-
tion of the To	wn Board of the
Town of Cheekt	owaga, New York.
Dated: May 1	9, 1958 ETH T. HANLEY,
KENN	Town Clerk
t my22	TOMU CISET

			474	_	
 ••••••	••••••	*		********	
 4		3		48-4	

being duly sworn, deposes and says that he is the

PURLESHER .... of the

## Herald and News

a public newspaper published at Depew, Town of Cheek-
towaga, Erie County, New York, that notice of which the
annexed printed slip taken from said newspaper, is a copy,
was inserted and published therein once a week for
week , the first insertion being on the
22 mlday ot May, 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
Lichard G. James

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

MAY 2-7-1953, 19

Notary Public in and for Eric 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 puning 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: ' -O-

ABSENT: -O-

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:

29-A

ktowaga, 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 (3) 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 Wrohlewski voting aye Councilman Bystrak voting aye Conneilman Fath voting aye uncilman Neibert voting aye Conneilman Trojanoski voting aye Maria Basalinam, basasaha Kerlowski-lankowisk Eiss Rits T. Jankowisk comple will reside at 83 merims After a motor trip to Plorida the Was, brother of the bridesrosse. Louis J. Kuret Jr. brother of the Louis Jr. Kuret Rwistkowski.

RICHARD G. BE		
---------------	--	--

being duly sworn, deposes and says that he is the

PURLISHER
.... of the

# Herald and News

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

Notary Public in and for Eric County

STATE OF NEW YORK ODUNTY OF ERIE

RICHARD G. BENNETT

being duly sworn, deposes and says that he is th

County, New own Hall, cor d Union Road eektowaga, on 1050 P.M., Eastern Daylight S there were:

Concliman Washewaki presenttion following resolution and
well its adoption:
WHEREAS, a written petition
with filled with this Board for
improvement of both sides of
itals Street, commencing at Wilas Street to Stradman Street, a
taken of approximately 2620
with being the entire length of said
with the installation of reinguishment of the street with the street with the installation of reinguishment of the street with the street wi

the entire length), and the length, and the length has been signed by the of real property fronting abuting on both sides of said the lighway to be improved as the length of the length length

MINISTERAS, such petition was fully acknowledged or proved by all the signers in the same manner as a deed to be recorded, and WHEREAS, the maximum proposed to be expended for the improvement of said highway as stated in the petition is the sain of Fourteen Thousand Dollars (MADOLOO).

NOW, THEREFORE, Parsuant to the provisions of Section 200 of the Town Law of the State of New York, it is herealy

an 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
is the DEPEW HERALD AND
CHERKTOWAGA NEWS, a newspaper published and having a gengral 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 Bystrak voting aye
Councilman Trojanoski voting aye
Councilman Trojanoski voting aye
Councilman Richest voting aye
Councilman Kornecki voting aye
Councilman Kornecki voting aye

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 conspicuously or cause to be posted conspicuously, certified copies of this resolution and order in five (3) 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 diffe of the hearing.

Seconded by Councilman Fath duly put to a vote which reafted as follows: ervisor Holtz voting aye

meilman Wrohlewski voting aye Chancilman Bystrak voting aye meliman Fath voting aye neilman Neibert voting aye Comeilman Projanoski voting aye Canacilman Kornecki voting aye
Ayes: 7; Noes: 0; Absent: 0.

Ayes: 4; Noes: 0; Absent: 0.

Ayes: 6 New York )

dy of Eric

L RENNETH T. HANLEY, Town Charles the Town hereinfater described, DO HEREBY CERTIFY as

1. A regular meeting of the Town Board of the Town of Cheekga, a town located in the Counof Erie, State of New York, was the held on May 19, 1958, and inutes of said meeting have been bily recorded in the Minute Book by me in accordance with law the purpose of recording the utes 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.

2. 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, 1956.

KENNETH T. HANLEY my22 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 Councilman	Wroblewski.	Voting AYE
Councilman Councilman Councilman	Fath	Voting AYE Voting AYE Voting AYE
Councilman Councilman	Trojanoski	Voting AYE Voting AYE

AYES: -7-

MOES: -O-

ABSERT: -O-

## 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 Manusion Streets
- 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 DEPEN HERALD-CHEERTOWAGA NEWS:

ETATE OF NEW YORK }

Supervisor Holiz, voting Aye Councilman Wroblewski,	richard G. Rennett
Councilman Bystrak, voting Aye Councilman Fath, voting Aye Councilman Neibert, voting Aye Councilman Trojanoski, voting Aye T Councilman Kornecki, voting Aye AYES: 7; NOES: 0; ABSERT	being duly sworn, deposes and says that he is the
P State of New York T County of Erie	PURLEMEN of the
follows:  1. A regular meeting of the Town Board of the Town of Cheekto	Herald and News
uies of said meeting have been min-	a public newspaper published at Depew, Town of Check-
the on accordance with home kept	towaga, Erie County, New York, that notice of which the
meetings of said Room	annexed printed slip taken from said newspaper, is a copy,
extract nave compared the attack	was inserted and published therein once a week for
corded and said minutes so re- copy of said minutes and of the whole thereof insofar as said min- utes relate to matters referred to	
3. Said minutes correctly	the last insertion being on the day of
nesting when place whom	, 19, and that not
IN www.	more than six days intervened between any two publi
OF, I have hereunto set my hand and have hereunto affixed the corporate seal of said.	Liehard & Rums
ate seel of said Town, this  19th day of May, 1958.  KENNETH T. HANLEY,  Town Clerk 191	
Sworn to before me thu	day of
may 2.7 195s	

# TATE OF NEW YORK COUNTY OF ERIE

OF TOWN BOX

At a regular intesting from Board of the Town of Chewaga, Eric County, New Yorkid at the Town Hall, corner roadway and Union Road, in several control of the Chewaga, on the 18 ay of May, 1956, at 7:30 o'clo the 19th o'clock Saying

lown of Cheektowaga, on the 19th ay of May, 1956, at 7:30 o'clock lay o'clock

with paved for its entire length), and with respect to the specific part of the property fronting small abutting on both sides of said public highway to be improved as short described, owning at least case, task of the entire frontage or bossads on both sides of the highway to be so improved, and signed to be so improved and signed to be so improved and signed to be so improved and signed by resident owners owning not be so improved and by resident owners residing said highway to be so improved, and witerreads, such petition was with a such as the such petition was such as the such as th

provided and support of the State of New York, The Pursuant to the provisions of Section 200 of the State of New York, it is here-ty-

Pursuant to the provisions of Section 200 of the Town Law of the State of New York, it is hereity or the State of New York, it is hereity or the Town of Cheektowaga, Erie County, New York; shall neet at the Town Hall, corner of Broadway and Union Road in said Town, on the 2nd day of June, 1958, at 2:30 o'cicek P. M., Eastern Daylight Saving Time, for the purpose of considerable provided provided P. M., Eastern Daylight Saving Time, for the purpose of considerable provided in the subject thereof concerning the same, and hearing all persons interested in the subject thereof concerning the same, and EE 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 DEFERW INFARALD AND CHEEKTOWAGA NEWS, a newspaper published and having a general circulation in the Town of Cheektowaga, not less than ten (10) nor more than the the Town Clerk post conspicuously, certified copies of the laghway to be improved, not less than ten (10) nor more than ten (10) nor more than insenty (20) days prior to the date of the hearing. Seconded by Councilman Fath, and duly put to a vote which required as fallows:

Supervisor Hottz, voting Aye Councilman Fath, voting Aye

Councilman Wroblewsid, voting Aye Councilman Bystrak, voting Aye Councilman Bath, voting Aye Councilman Fath, voting Aye Councilman Reibert, voting Aye Councilman Neibert, Asserting Aye Councilman Trojanoski, voting Aye Councilman Trojanoski, voting Aye Councilman Kornecki, voting Aye Councilman Kornecki, voting Aye AYES: 7; NOES: 0, ABSENT: 0. State of New York
County of Erie, York
County of Erie, Thanker, Town Clerk of the Town hereinatter described, DO HEREBY CERTIFY estollows.

1. A regular meeting of the Town Board of the Town of Checktowage, a town located in the County of Erie, State of New York, was duly held on May 19, 1958, and minutes of said meeting held with saw for the purpose of recording the minutes of said meeting as the page No.

RECHARD G. BENNETT

being duly sworn, deposes and says that he is the

#### TATE OF NEW YORK DUNTY OF ERIE

Supervisor Hoitz, voting Aye Councilman Wroblewski,

Councilman Bystrak, voting Aye Councilman Fath, voting Aye Councilman Fath, voting Aye Councilman Neibert, voting Aye Councilman Trojanoski, voting Aye Councilman Kornecki, voting Ape 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:

L. A regular meeting of the Town Board of the Town of Cheekto-was, a town located in the County of Eric, 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 he may be 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

A. The 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

in said extract.
3. Said minutes correctly state 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

IN WITNESS WHERE-OF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 19th day of May, 1958.

KENNETH T. HANLEY,

Town Clerk

my22 Town Clerk

(see )

#### RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

Councilman Wroblewski presented the following Item No. 15 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 authorised 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 authorised 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 authorised 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 publior if 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 wote, which resulted as follows:

Supervisor Heltz	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewsk	d Voting AYE
Councilman Bystrak	Voting AYE
Councilman Fath	Voting AYE
Councilman Trojanosk	
Councilman Kornecki	<b></b> <del></del>

AYES: -7-

NOES: -O-

ABSENT: -O-

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 IAW.

BE IT RESOLVED by the Town Board of the Town of Cheektowaga, Brie 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 Wroble	wski Voting AYE
Councilman Bystra	
Councilman Fath	Voting AYE
Councilman Neiber	t Voting AYE
Councilman Trojar	
Councilman Kornec	

AYES: -7-

NOES: -O-

ABSENT: -O-

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

12 29 A STATE OF NEW YORK COUNTY OF ERIE

not the provising the mich should be compiled with it the date of the publication of this resolution are not substantially compiled 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 suthorized in violation of the provision of the Constitution of New York.

Fork.

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 published shall be in the DEPEW MERALD AND CHEEKTOWAGA LOWS, a newspaper published and lowing a general circulation in said

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

adoption.

The bond resolution published according that been also been also

to such authorized for an the county of Erie, is not authorized to expend money or if the provisions of law which should have been compiled with as of the date of publication of this notice were not substantially compiled with, and an action, suit or proceeding con-

d goods they went at the

CHESTER	u.	KRAWCZYK
	CH 4	THE PERSON NAMED

being duly sworn, deposes and says that he is the

ASSOCIATE PUBLISHER

ADSUCIATE FUBLISHESS of the

## Herald and News

Sworn to before me this .....

.. day of

19....

Notary Public in and for Erie County

hn 1086

BONT THE SUANCE OF \$12.200 SERTHE ISSUANCE OF \$12.200 SERIAL BONDS OF THE TOWN OF
CHEEK TOWAGA IN THE
COUNTY OF ERIE, PURSUANT
TO THE LGCAL FINANCE LAW,
TO FUNANCE 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
aorth 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
william Street north approximate
ity 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 Secsion 2 of this resolution shall be
hiere by local assessment upon the
average of the property of the
Board of said Town on May 5, 1958.
Section 3. The expense of making
the improvement described in Secsion 2 of this resolution
shall be been been shall be been been specific to be expensed
to the forest Materials, Inc.
property, in accordance with the
resolution adopted by the Town
Board of said Town on May 5, 1958.
Section 1. It is hereby stated that
the maximum cost of said purpose, as estimated by the Town
Board of said purpose, and (c) the
Town Board is 12,200, and (b) no money
has heretofore been

Section 5. It is hereby determined that said purpose is an object or purpose described in Subdivision 26 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 6. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in encess of five years.

Section 7. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation

section 7. The validity of said sprial Bonds or of any bond entici-pation notes issued in anticipation of the said of said Serial Bonds may be contested only if such obliga-tions are authorized for an object of surpose for which said Town is not authorized to expend money

the provisions of could be compiled a the of the publicat solution are not supplied with, and an preceding conties illuly is commenced days after the date ation; or if said objects of the Constitution of the Constitution.

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 CHEEKTOWAGANEWS, a newspaper published and having a general circulation in said Town.

This resolution shall ct immediately upon its

her only if such only if such on the 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 compiled with as of the date of publication of this notice were not substantially compiled with, and an action, suit or proceeding contesting such vallety is within twenty days after the date of publication of this notice; or understand the constitution of New York.

KENNETH T. HANLEY,
Town Clerk, of the Town of yell

## CHESTER M. KRAWCZYK

eing duly sworn, deposes and says that he is the

ASSOCIATE PUBLISHER ..... of the

71

## 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

and for Erie County

31

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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
Item No. 17 Moved by Councilman Neibert, seconded by Councilman Kornecki, that the request of Dr. Louis Vendetti, Town

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: -O-

ABSENT: -O-

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: -O-

ABSENT: -O-

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: -O-

ABSENT: -O-

ر ا

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 Beach Road

TO 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 Beach Road End of Street

Duchess Court

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 Eric 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: -7NOES: -0ABSENT:

17

Moved by Councilman Bystrak, seconded by Councilman Item No. 21 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: -7NOES: -0ABSENT: -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 Holts
Councilman Fath
Councilman Wroblewski
Councilman Neibert
Councilman Bystrak
Councilman Trojanoski
Councilman Kornecki
Voting AYE
Voting AYE
Voting AYE
Councilman Kornecki

AYES: -7-

NOES: -O-

ABSENT: -O-

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

**T**O

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 CRDERED 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 teh (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 ATE
Councilman Wroblewsk	i Voting AYE
Councilman Kornecki	Voting AYE
Councilman Trojanoski	
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE

AYES: -7MOES: -O-

ABSENT:

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for weeks:

first publication MAY 22 1958

last publication MAY 22 1958

and that no more than six days intervened between publications.

Willard C. alli

Sworn to before me this ...

MAY 281958

by of .....

.., 19

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

EVE J. ALLIS
NOTARY PUBLIC, STATE OF NEW YORK
Qualified in Eric County
My Commission Expires March 30, 19 47
Registered No. 5029

Town Board of the Town of Cheektowaga, Eric County, New York, held at the Town Hall, in said Town of Cheektowaga, on the 19th day of May, 1958, at 7.39 o'clock P. M. Eastern Daylight Saving Time, there were: PRESENT:
Benedict T. Holtz, Supervisor Alancin M. Fath, Councilman Felix T. Wroblewski, Councilman man Joseph Kornecki, Councilman Joseph M. Trojanoski, Councilman Joseph A. Neibert, Councilman Councilman man
Stanley R. Bystrak, Council-Stanley R. Bystrak, Councilmen
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 Cheektowaca, 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
Farminedale Road
FROM
Fainhaven Drive
TO
Yorktown Road Fairhaven Drave
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 afrocessid, 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. THEREFFORE, 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 June1958, 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 date set
herein 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 Fath voting
Aye Aye
Councilman Trojanoski voting Aye Councilman Neibert voting 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
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 cony of resolution owin 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, 1953, 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) Aye Councilman Bystrak voting

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 40 STATE OF NEW YORK COUNTY OF EREE

NOTICE OF PUBLIC HEARING ON A PROFESSES OSDERANCE OF THE TOWN OF CHESETO WAGA, NEW YORK AS SET FORTH HEREIN.

LEGAL NOTICE IS HEREBY GIVEN that pursuant to Section 130-of the Town Law of the Staff 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 ing Time, to hear all interested rties and citizens for or against the adoption of a proposed ordi-nance to concern Air Pollution, a pry of which may be obtained at Office of the Town Clerk.

Med: May 19, 1988. TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, N. Y. by KENNETH T. HANLEY, **my2**9je5-12 Town Clerk

RIC

STATE OF NEW YORK · COUNTY OF ERIE TOWN OF CHEEKTOWAGA

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for. Thue weeks: first publication May 29 1958 last publication .... and that no more than six days intervened between publications.

Sworn to before me this...

day of .

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

EVE NOTARY PUBLIC, ST. THE OF BEW YORK Qualified in Erie County My Commission Expires Merch 30, 19 57 Registered No. 5029

Hera

being duly sworn,

a public newspaper towaga, Erie County annexed printed slip

was inserted and three we

... If the day of the last insertion be

more than six days

cations thereof

Notary Public in and for Er

ING ON A PROPOSED ONDI-NANCE OF THE TOWN OF CHEEKTOWAGA, NEW YORK AS SET PORTH HEREIN LEGAL NOTICE IS HEREBY
CHVEN 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 Checktowage, adopted May 19, 1858, the said Town Board will hold a public hearing at the Town Hall corner of Broadway and Union Road, Town of Checktowage, on the 16th day of June, 1958, at 7:30 o'clock P.M. Eastern Daylight Saving Time, to hear all interested perties and citizens for or against the adoption of a proposed or time adoption of a proposed or time adoption of a proposed or time adoption of the Town Clerk.

TOWN BOARD OF THE TOWN OF ARTOWA-GA NEW YORK.

By Kenneth T. Hanley Town Clerk
Dated: May 19, 1958.

(Publish: May 29; June 5, 12) LEGAL NOTICE IS HEREBY

STATE OF NEW YORK COUNTY OF ERIE

NOTICE OF PUBLIC HEARING ON A PROPOSED ORDINARCE OF THE TOWN OF CHEERTO WAGA, NEW YORK AS SET FORTH HEREIN.

LEGAL NOTICE IS HEREBY GIVEN that pursuant to Section 130 of the Town Law of the Staff 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, 1968, at 7:30 o'clock P.M., Eastern Daylight String Time, to hear all interested Societies and citizens for or against the adoption of a proposed ordinance to concern Air Pollution, a saper of which may be obtained to the Town Clerk.

TOWN BOARD OF THE TOWN
OF CHEEKTOWAGA, N. Y.
by KENNETH T. HANLEY,
20129je5-12 Town Clerk

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Herald and News

to feefore me this ...

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Notary Public in and for Ery 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 Wrob	Lewski Voting AYE
Councilman Korne	ecki Voting AYE
Councilman Troja	noski Voting AYE
Councilman Neibe	ert Voting AYE
Councilmen Bysta	ak Voting NAYE
Supervisor Holts	

AYES:

NAYES:

CARRIED

40

This being the time and the place advertised for Item No. 27 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 Chrk be authorized and directed to open and read the sealed bids an hand.

Hereto is a summary of the bids received:

Item No. 27-Cont'd.

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## Item No. 27-Contid.

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

AYES: -7-

NOES: -O-

ABSENT:

-1-

2 4<sup>L</sup>

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 Czerwonks 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

and Ordinance accordingly, and
WHEREAS, the Zoning Board of Appeals having
rendered its decision granting the application of the petitioner to
resone 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 smended 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 Humbers 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-

MOES: -O-

ABSENT: -O-

Posted as follows on the 26th day of May, 1958:

1 - Tow n Hall Bulletin Board.

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COUNT	Y O	· IR	IE.

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RECHARD G.	BENNETT
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being duly sworn, deposes and says that he is the

PUBLISHER

..... of the

# Herald and News

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

MAY 27:1958

Notary Public in and for Eric County

### STATE OF NEW YORK COUNTY OF ERIE

District of the

similars District of the system of the secondarier described and secondaries described and secondaries the Zoning Map and Orionated the Zoning Board of Sanving rendered its described the application of things to resolve from Residential to resolve from Residential to Business District the Sanving Residently have an increased and the secondaries of the Sanving Residently have a secondaried the Sanving Residently have a secondaried the Sanving Residently have a secondaried the Sanving Resident Residently have a secondaried the Sanving Resident Resi

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CVED, by this Town Board Ordinance adopted Decem-med, and as now amouded his some Biroby is amend-inging the Zuning Map as design the following des-toporty from that of Resi-Pictrict to Business Dis-

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Billian Lots

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al Checktowaga County

at the State of New York.

Let of lot. Number Thirty

Let o tipes a map of Pine Ridge stalled, made by A. Krause-flied in the Eric County saffice under Cover No. 894, resident in substitution let Two (D. Clickien Ave.)

KENNESE T. HANLEY Town Clerk Town of Cheektowaga, N. Y. EICHARD G. BENNETT

Councilman Trojar directed to issue	Committee and the	wn Clerk b on all ap		; •
AYES: -7-	NOES:	-0-	ABSENT:	- <b>0-</b> -
Councilman Wroble audit be approved	d and that the Tow t on the Superviso Warrant No. 1178	ims preser n Clerk be r for pays	ted at this meeting : authorized and direct	for cted
AYES: -7-	Noes:	-0-	ABSENT:	-0-
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residents in reg	ee went on record ard to the sidewal	to meet wi k situatio	an Trojanoski, the ith the Orchard Hill on in their area, said 30 A.M., in the Coun	
Item No. 35 has made no deci Alexander Street	sion relating to t		e audience that the B g out of bids for the	
Item No. 36 Fath, to adjourn		man Bystr	ak, seconded by Counc	ilma
SEAL		K	GNETH T. HANLEY Town Clerk	

Kantey.

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Eric 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 M. Trojanoski Councilman
Joseph A. Neibert Councilman
Stanley R. Bystrak Councilman

ABSENT: Alancin M. Fath Councilman

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 37

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 Szydlowski; Dick Fraser; Henry Andrsejewski.

Playground Supervisors at \$1.85 per hour: Leonard Kosobucki; John Pasquerella; Dominic Catalano; Richard Eichelberger.

Assistant Playground Supervisors at \$1.60 per hour: Charlotte Goets; Patricia Mersmann; Donna Schwend; Patricia Weiss.

AYES: -6-

NOES: -O-

ABSENT: -1-

3/ 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: -O-

ABSENT: -1-

31

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 Eric County Civil Service Commission has duly certified that the following named person, namely, Leroy F. 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, Eric 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
Councilman Neibert
Councilman Wroblewski
Councilman Bystrak
Councilman Trojanoski
Councilman Kornecki
Voting AYE
Voting AYE
Voting AYE

AYES: -6-

NOES: -O-

ABSENT: -1-

3/

Item No. 7 Moved by Councilman Kornecki, seconded by Councilman Tropanoski,

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 Newsan be and he hereby is appointed Incinerator Operator at a salary of \$4,600.00 per annum.

AYES: -6-

NOES: -O-

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: -O-

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 sudit 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 sudit 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 cofrectness, regularity, legality or pro-

(c) The cofrectness, 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 Holts Voting AYE
Councilman Neibert Voting AYE
Councilman Wroblewski Voting AYE
Councilman Bystrak Voting AYE
Councilman Trojanoski Voting AYE
Councilman Kornecki Voting AYE

AYES: -5-

NOES: -1-

ABSENT: -1-

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: -O

ABSENT: -1-

33

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-

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.

/3

AYES: -6-

NOES: -0-.

ABSENT: -1-

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 Cheektowags, 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 afore-

mentioned 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 Brie, 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. Holts, 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

hat persuant to the form of the form Board of the form of the party of Bris, Stine, of the York, sealed proposels shall be regived and considered by said form Board on the 18th day of like, 1853, at 7:30 o'clock P.M., matern Daylight Saying Time, in the Town Daylight Saying Time, in the Town Hall in the Town of Checktowaga, Eric County, New York, for furnishing all materials and equipment, together with all later 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. Kanna, Town Engineer, and approved by the Town Board of said Town, all of which are difflic with the Town Clerk in his of-

Lencester Freshylestes The regular Bible study class will be conducted by Mrz. Hobert State on at 8 a.m. Friday.

lay delegate.
New officers for the year 1958s
59 in the Touth Fellowship have
been announced Esnates Hansait is
president. Others are as follows:
John Louer, vice president; Hardis
Lowery, secretary; Fell Souther
worth, treasurer; Staidre Beanest,
publicity; Areasurer; Staidre Beanest,
count, treasurer; Fells
Esnated countries, Christian witness; Fells
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RICHARD	G.	BENNETT
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being duly sworn, deposes and says that he is the

PUBLISHER

of the

## Herald and News

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

1938 19

Notary Public in and for Eric County

in the Depew Herald-Cheektowaga News:

### STATE OF NEW YORK COUNTY OF ERIE

RICHARD G. BENNETT

Daylight Saving Time, in wwn Hall in the Town of owaga, Eric County, New for furnishing all materials disponent, together with all-tennatruct and erect a Town 

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section shall be reimitted in a wildspee, plainly marked on could. Bid for Construction of Blackway Garage".

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Indice to the Town Board and massest bond by a company satisficant price will be required and massest at less than 189% emission of the Town Board reserves the successful bidder.

They no Board reserves the successful bidder.

They not be provisions of the sections and construct down, and may write any information make an award to other the low bidder, should it be in the low may write of the Town Board of Digra of Cheektowaga, Erie 17, New York.

EKENNETH T. HANLEY,

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	Yoting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	<b>Voting AYE</b>

AYES: -6-

NOES: -0-

ABSENT: -1-

73

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 akknowledged 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 Jure, 1958, at 2:30 o'clock P.M., Eastern Daylight Saving Time; and

WHEREAS, the said order duly certified by the Town Clark 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
	Wroblewski	Voting	AYE
Councilman		Voting	AYE
Councilman	Neibert	Voting	AYE
Councilman	Trojanoski	Voting	AYE
Councilman	Kornecki	Voting	AYE

ATES: -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 Bollars (\$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 petitinned 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.

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

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

AYES: -6NOES:

ABSENT: -129 A

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:

NOES:

ABSENT:

Item No. 17 Moved by Councilman Wroblewski, seconded by Councilman Trojanoski, that the Brie 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: -6NOES:

ABSENT:

9 41

Councilman Bystrak presented the following resolution Item No. 18 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	Holts	Voting	AYE
	Wroblewski.	Voting	AYE
Councilmen	Bystrak	Voting	AYE
Councilman	Neibert	Voting	AYE
Councilman	Trojanoski	Voting	AYE
Councilman	•	Voting	AYE

AYES:

NOES: -0ABSENT: -1-

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

10

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 FRIGHTAYS 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

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
Commilman Wroblewski Voting AYE
Councilman Trojanoski Voting AYE
Councilman Kornecki Voting AYE
Councilman Heibert Voting AYE
Councilman Bystrak Voting AYE

ATES: -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 RESULUTION 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.

KENHETH T. HANLEY TOWN CLERK

17

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-

SEAL

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.

ATES: -6-

NOES: -O-

ABSENT: -1-

30

Item No. 22 Councilman Wroblewski moved, seconded by Councilman Trojanoski, that the Town Clerk be authorised 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: -O-

ABSENT: -1-

15

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: -O-

ABSENT: -1-

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 Meibert, seconded by Councilman Trojanoaki, that the bids be referred to the Highway Superintendent for analysis and tabulation.

/ / 3<sub>|</sub>

Item No. 25 Referred to the Town Attorney Notice of Hearing Case 1754; before the State of New York Public Service Commission on July 9, 1958, at 10:00 A.M.

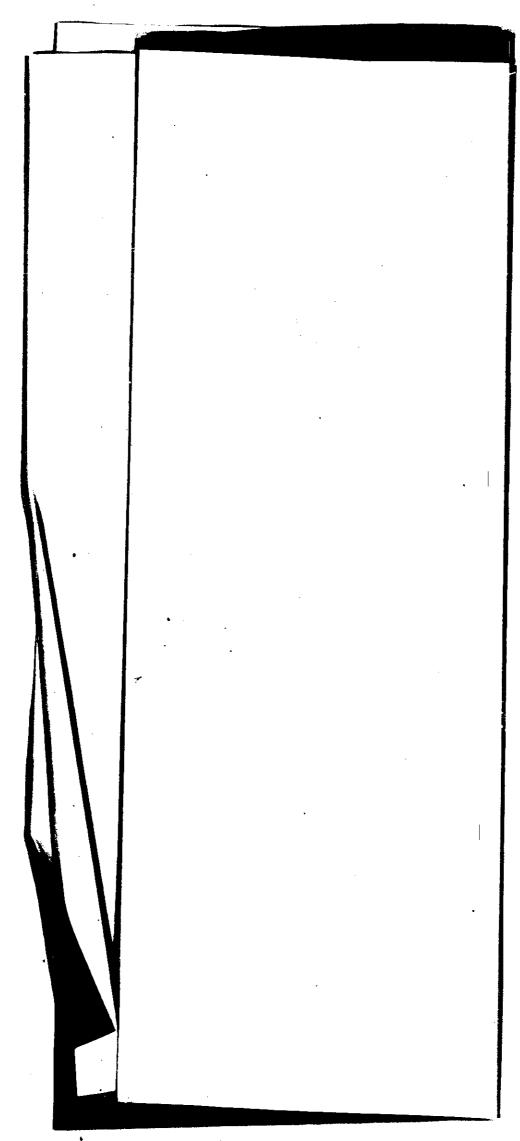
3 3 8

Item No. 26 This being the time and the place adverised 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 kineal 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 Velsy, 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:

29-A



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

DESCRIPTON	- 1.47-007	/	₹OETZNER	ERIE	PAVING	A.B.C. P	AVING CO	M.C. CONTRAC	MORGAN CTORS INC.	_B. € C. CO	CONSTRUCTION	TWIN	VILLAGE	DERSAL
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O'-6' DEPTH	500 L.F.						7				42,504.00	<u>. 3</u> .7,5	46,200.00	3.50
12° R.C.P 0-6 DEPTH.	576 LF.			3,78		2.90 3.50					1,425.00	3.35	1,675.00	4.00
15 R.C.P 0'-6 DEPTH	104 LF			4.62	480.48	°4.20		+		3.45	1,987.20		2,592.00	5.00
IS' R.C.P 6-8 DEPTH	125 L.F	30,16		4.62	577.50		· · · · · · · · · · · · · · · · · · ·		520.00	4.15	###\$1.6Q	5.00		
IS R.C.P O-6 DEPTH	200 LF	671		5.66	1,[32.00	5.15	3	4	625.00	4.40	550.00	5.35	668.75	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
18' R.C.P. 6-8' DEPTH	1114 LF	$-\hat{\Sigma}$		5.67	6.316.38	5.45	4-11-1		1,200.00		10 10 10 10 10 10 10 10 10 10 10 10 10 1	5.75	,150.00	7,00
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24" R.C.P. G-8 DEPTH	490 LF	27.20.00		8.14	3,988.60			<del> </del>	7,505.00 *4,410.00 	7.45		7.50	6,337.50	A STATE OF THE PARTY OF THE PAR
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CONCRETE WALK REPLACEMENT	4000 S.F.		3,654.00	6.00		******		<del>                                     </del>	4,200.00	6.00	4,200.00	7.00	4,900.00	5.40
SELECT BACKFILL MATERIAL		0.52	3,120.00	.55	· · · · · · · · · · · · · · · · · · ·			,60	3,600.00	65	3,900.00	.5o	3,000. <i>0</i> 0	
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Ttem No. 12545,48

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	104 LF			4.62		4.20	436 80			3.45	1,987.20			5.00 2,680.00	4.25 2,448.00	4.20 4418
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	345 LF			7.98	6,743.10	7,45	6,295.25		6,840,00 7,005,00	5.40	6,015,00	6.25		(.50 <i></i> 7,798.66	6.10 <b>6.74</b> 5.40	2 5 5 F
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		CASUA	LTY CO.	CASUA	ALTY CO.	CASC	ALTY CO	SURETY	CASUALTY E	NEW CAS	AMSTERDAM	THE 10,	RAVELERS	PEERLESS INSURANCE COMPANY	#9000.00 MARYLAND CASUALTY (	O APTUA CALUMETTA I

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 advisibility 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 ronconforming 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 is gued 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
Councilman Neibert
Councilman Wroblewski
Councilman Bystrak
Councilman Trojanoski
Councilman Kornecki
Voting AYE
Voting AYE
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

date of its service as against a person served with a copy thereof wartified 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 Wroliewski and duly put to a vote, which resulted as follows:
Supervisor Holtz, voting Aye Councilman Neibert, voting Aye Councilman Neibert, voting Aye Councilman Bystrak voting Aye Councilman Bystrak voting Naye Councilman Rorneski, voting Aye Councilman Fath, Absent

ANDS: 5; NOES: 1; ABSENT: 1.

State of New York

Dien of Checktowaga

This is to certify that I, KEN-RETH T. HARILEY, Clerk of the Tenn of Checktowaga, in the said

This is to certify that I, KEN-METH T. HAMLEY, Clerk of the Thirn of Checktowaga, in the said Somety of Eric, have compared the Risegoing 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 Checktowaga in said County of Rain, 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

have hereunto set my hand and affixed the seal of said Town this 20th day of June, 1958.

KENNETH T. HANLEY,

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

### RICHARD G. RENNETT

being duly sworn, deposes and says that he is the

PURI INCHES

of the

# Herald and News

Swood to believe me this day of

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Whenly

Notary Public in and for Eric 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

Councilman Neibert, voting Aye
Councilman Neibert, voting Aye
Councilman Bystrak voting Neye
Councilman Bystrak voting Neye
Councilman Trojanosid, voting Aye
Councilman Fath, Absent
ATES: 5; NOES: 1; ABSENT: 1.
State of New York
Eric 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
Town of Cheektowaga, in the said
County of Erie, have compared the
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County of Erie, have compared the
Town of Cheektowaga, in the said
County of Erie, have compared the
Town of Cheektowaga, and the Town
of Cheektowaga in said County of
Ente, on the 2nd day of June, 1958,
and that the same is a correct, in
have hereunto set my
hand and affixed the seal
of said Town this 20th day
of June, 1958,
KENNETH T. HANLEY,
Clerk of the Town Board, Town of
Ja28

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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Item No.29 Moved by Councilman Wroblewski, seconded by Councilman Kornecki, to adjourn.

SEAL

KENNETH T. HANLEY Town Clerk

Kunta 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 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: -C- 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 15 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 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:

RESENT:	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	Counci lman

## ABSENT: -O-

Also present were: Town Clerk Hanley; Town Attorney Delahunt; Chief of Police Mersmann; 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 Weltz 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.

Item No. 5 Referred to the Town Attorney the communication of Elmer R. Weil, County Attorney, relating to a deed of property on the 33 south side of Dingens Street, approximately 10.352 acres.

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.

Item No. 7 Referred to the Town Attorney the petition for the improvement of St. Marys Street by the installation of a permanent highway.

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.

Item No. 9 Referred to the Town Attorney the request of Samuel Gajewski for part-time work in the Town.

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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 Cheeektowaga, 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

ATES: -6NOES: EXCUSED -1ABSENT:

-0-

Councilmen Neibert presented the following resolution Item No. 11 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. 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 Checktowaga, 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 Voting AYE Councilman Wroblewski Councilman Bystrak Voting AYE Councilman Trojanoski Voting AYE Councilman Kornecki Voting AYE Councilman Fath Voting AYE

AYES: -6NOES: EXCUSED -1-

ABSENT:

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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:

NOES:

ABSENT:

EXCUSED -1-

Item No. 13 The following resolution was offered by Councilman Kornecki sho moved its adoption, seconded by Councilman Trojanoski, to wit:

CAPITAL NOTE RESOLUTION DATED JUNE 16, 1958, AUTHOR-IZING 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 Arie, 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: -O-EXCUSED -1ABSENT: -O-

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 2-1/1% 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.

(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 2-1/1% 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
	Wroblewski	Voting AYE
Councilman		Voting AYE
Councilman	•	Voting AYE
Councilman		Voting AYE
		Voting AYE
		Voting AYE

AYES: -6NOES: EXCUSED -1ABSENT:

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

12 13

STATE	OF	NEW	YORK
COUNT	Y O	r eri	E.

CAPITAL 1878 RESOLUTION DATED JUNE 14, 1988, AUTHORIZING THE ISSUANCE OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF TRIE, PURSUANT TO THE LOCAL, FINANCE LAW, TO FINANCE THE ACQUISITION OF HIGHWAY MACHINERY.

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### RECHARD G. BERCHETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

BE IT RESOLVED by the Town of the Beard of the Town of Cheektoways, be the C selfor 7 as follows:

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27 1958 Notary Public in and for Er

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STATE OF NEW YORK COUNTY OF ERIE

CAPITAL NOTE RESOLUTION DATED RIVE IS, 1989, AUTISGRIZING THE ESUANCE OF THE TOWN OF CHEEK TOTHE ACQUISITION
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2. The specific purpose the referred to a "purpose tellerred to a "purpose of filmaned by the issuence, Capital Noise is the of machinery or appearable with consists of the control of two (25 four wheel plus with dump todies, and pursues, thereof, including

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ESCHARD G. BERNETT

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: -O-EXCUSED -1-

ABSENT: -O-

31

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 Brie 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-twoand 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 Mornecki and duly put to a vote, which resulted as follows:

Supervisor	Holtz	Excused
Councilman		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: -O-EXCUSED -1ABSENT: -O-

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 therof, 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 Minety-two and Twenty-nine Hundredths (792.29) feet as shown on a Subdivision Map filed in the Eric 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

ACREED, 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.

Company is limited to the sum of Ten Thousand (\$10,000.00) Dollars.

Upon filing with the Bown 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

System Supervisor

S/S Theodore J. Fridey
Theodore J. Fridey

STATE OF NEW YORK )

On this 16th day of June, 1958, before me personally appeared BENEDICT T. HELTZ, 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, Brie County, N.Y.

STATE OF NEW YORK )

SSI
COUNTY OF ERIE )

COUNTY OF ERIE

On this libth 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, Eric 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
Councilman Fath
Councilman Wroblewski
Councilman Neibert
Councilman Bystrak
Councilman Trojanoski
Councilman Kornecki
Voting AYE
Voting AYE
Councilman Kornecki
Voting AYE

AYES: -6-

NOES: -O-EXCUSED -1ABSENT: -O-

33 13

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.

-6ayes;

NOES:

ABSENT: -0-

EXCUSED -1-

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: EXCUSED -1ABSENT:

15 35

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:

NOES: EXCUSED -1-

ABSENT:

DESCRIPTION

Property located in the Town of Cheektowaga, County of Brie 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.

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 loth 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:

19

# 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 W. 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		Voting AYE
Councilman	Wroblewski	Voting AYE
Councilman	Bystrak	Voting AYE
Councilman	Trojanoski	Voting AYE
Councilman	Kornecki	Voting AYE
Councilman	Fath	Voting AYS

AYES: -6-NOES: ABSENT: EXCUSED -1-

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

(AFFIDAVIT)

STATE OF NEW YORK COUNTY OF ERIE

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RICHARD G. BENNETT

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Sworn to before me this .

JUN 27 1958

Notary Public in and for Eric County

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RICHARD Q. BENNETT

book of the mount of five (b) percent of the bid, payable to the order of Benedict T. Holts, Supervisor of the Town of Checktowaga. The bond shall be approved by the Town Attorney.

Proposals shall be submitted in

Town Attorney.

Proposals shall be submitted in selied envelopes, plainly marked on the outside "Bid for Construction of Town Highway Garage".

Bio bidder may withdraw itis bid within sixty (60) days after the little date of the opening thereof.

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is neglify that I. Remoth lity, Clerk of the Rown of swags, in the said County have compared the forespect of remotation with the resolution new on file at les, and which was passed Town Board of the Town stowags in said County of a the 16 day of June, 1988, It the same is a correct and associate of said original on and the whole thereof. In Witness Whereof, I have accounts set my hand and affixed the soil of said Town this 18 day of June, 1988.

ENNETH T. HANLET, the Town Board, Town of Checktowage, N. Y. RICHARD & BENNETT

being duly sworn, deposes and says that he

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 contrete 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 HERAID-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, Frie 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 Mussbaumer, 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, Brie 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 Hereto attached is a copy of the Notice published in the DEPEW HERALD-CHEEKTOWAGA NEWS:

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STATE OF NEW YORK COUNTY OF ERIE	en e
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A CONTRACTOR OF THE SECOND	towaga, Erie County, New York, that notice of which the
	annexed printed slip taken from said newspaper, is a copy,
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The second secon	Ox week , the first insertion being on the
	19th day of June 1958, and
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	more than six days intervened between any two publi
The second second	cations thereof.
	Kichaus & Jumb

Sworn to before me this . JUN 22 1958

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

29A

### STATE OF NEW YORK COUNTY OF ERIE

B HEREST Green in HEREBY Green county to a resolution of the county to a resolution of the county of the New York, senied proposals received and considered by a Board on the Tth day of 58, at 2:30 p.m. EDST, in a Hall, Broadway at Union secktowage, New York for all materials, tools, at and together with all the construction of consent to Warsaw Street from the Warsaw Street from the Warsaw Street from the Street in Mansion running north from William Street in Peoria Arenas from William Street in Street about 1365 feet.

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Lated: June 16, 1958.

KENNETH T. HANLEY,

Town Clerk

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. Jersewski and Andrew H. Schwenk, Assessors of said Town of Cheektowaga, have certified in writing to this Beard 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 HERESY 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

Developed Service Time to consider the said netition and to bear all

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, contified by the Town Clark, be published at least once in the DEPE

certified by the Town Clerk, be published at least once in the DEPEN 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
Councilmen		Voting AYE
Councilman	Fath	Voting AYE
Councilman	Bystrak	Voting AYE
Councilman		Voting AYE
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AYES: -7-

NOES: -O-

ABSENT: -O-

# 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:

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# Herald and News

a public newspaper published at Depew, Town of Checktowaga, Erie County, New York, that notice of which the annexed printed allp taken from said newspaper, is a copy, was inserted and published therein once a week for ..... O. .... week , the first insertion being on the 19 the day of James , 1858, and the last insertion being on the ...... day of ....., 19....., and that not

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# STATE OF NEW YORK COUNTY OF ERIE

a longular extension of the flourist of the Town of the Town of the Town of the Town of the the Town of Cheektowaga, on the flay of June, 1988, at 7:30 k. P. M. Eastern Daylight Savines, there were:

M. T. Holtz, Supervisor

M. T. Holtz, Supervisor

M. T. Holtz, Councilman

M. Troblewski, Councilman

M. Trobanoski, Councilman BURNE HORGE

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foundiman Neibert, voting Aye
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Ayes: 7, Noes: 0; Absent: 0

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Conscimun Bystrak, voing aye
Ayes: 7, Noes: 0; Absent: 0

State of New York.

Eric County
Office of the Clerk of the se:
Tewm of Checktowage.
This is to certify that I, KENMETH T. HANLEY, Clerk of the
Town of Checktowage, in the said
County of Eric, 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
Checktowage in said County of
Eric, on the 16th 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
(seal) hand and affined the seal
of said Town this 16th day
of June, 1968.

KENNETH T. HANLEY
Clark of the Town Beard,
1848

ECHARD G. BENNETT

228

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. HANLET
Town Clerk

Item No. 1 At a Special meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 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 Riectric 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: -O-

ABSENT: -2-

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Etem 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 11, 1958, to July 19, 1958, on a site at Harlem Road near Walden Avenue, be granted.

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AYES: -5-

NOES: -O-

ABSENT: -2-

Item No. 4 Hoved 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.

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AYES: -5-

NOES: -O-

ABSENT: -2

Item No. 5 Moved by Councilman Fath, seconded by Councilman Kornecki, to adjourn.

AYES: -5-

NOES: -0-

ABSENT: -2-

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