

Item No. 1 At an organization meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, on the 2nd day of January, 1962, at 2:30 o'clock P.M., Eastern Standard Time, there were:

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

ABSENT:	Joseph Kornecki	Councilman
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Also present were: Town Clerk Hanley; Town Attorney Kitzinger; Town Engineer Kamm; Building & Plumbing Inspector Trafalski, and Chief of Police Mersmann.

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

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

RESOLVED, that Kenneth T. Hanley be and he hereby is appointed Registrar of Vital Statistics of the Town of Cheektowaga, New York, according to Section 373, Article 22, of the Public Health Law for the term ending December 31, 1963.

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

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

AYES: -6-

NOES: -0-

ABSENT: -1-

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

RESOLVED, that Elizabeth Adams of and she hereby is appointed Deputy Town Clerk at the annual salary of \$4,150.00, effective immediately, and be it further

RESOLVED, that the said Elizabeth Adams be and she hereby is appointed Deputy of Registrar of Vital Statistics, and be it further

RESOLVED that Gertrude Nolan of 8 Concord Drive be and she hereby is appointed Deputy Town Clerk at the annual salary of \$3,850.00, effective immediately.

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

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

AYES: -6-

NOES: -0-

ABSENT: -1-

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

RESOLVED, that Edward B. Jerzewski of Cheektowaga, New York, be appointed Chairman of the Board of Assessors of the Town of Cheektowaga at an annual salary of \$6,200.00, effective immediately, and be it further

RESOLVED, that Andrew H. Schwenk of Cheektowaga, New York, be appointed an Assessor in the Town of Cheektowaga at an annual salary of \$5,500.00, effective immediately, and be it further

RESOLVED, that Joseph E. Kistowski of in the Town of Cheektowaga, New York, be appointed an Assessor in the Town of Cheektowaga at an annual salary of \$5,500.00, effective immediately.

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

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

AYES: -6-

NOES: -0-

ABSENT: -1-

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

RESOLVED, that Benjamin Kraska of Sloan, New York, be and he hereby is appointed Dog Warden at the annual salary of \$3,900.00, effective immediately, and be it further

RESOLVED, that Louis Leising of Cheektowaga, New York, be and he hereby is appointed Dog Warden at the annual salary of \$3,900.00, effective immediately.

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 Kaczmarek	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Bystrak	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

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

RESOLVED, that Kenneth W. Kitzinger, Attorney-at-Law, of Cheektowaga, New York, be and he hereby is appointed Town Attorney for the Town of Cheektowaga, New York, at an annual salary of Eight Thousand Eight Hundred Dollars (\$8,800.00) effective immediately, and be it further

RESOLVED, that Thomas E. Delahunt, Attorney-at-Law, of Cheektowaga, New York, be appointed a Deputy in the Town Attorney's Office at an annual salary of Seven Thousand Dollars (\$7,000.00), effective immediately.

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

AYES: -6-

NOES: -0-

ABSENT: -1-

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

RESOLVED, that Helen Kosi of Sloan, New York, be and she hereby is appointed Police Matron at the annual salary of \$1,700.00, to take effect immediately.

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

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

AYES: -6-

NOES: -0-

ABSENT: -1-

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

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

BE IT RESOLVED, that the appointment of the Secretary to the Supervisor be and the same is hereby fixed at Four Thousand Eight Hundred Dollars (\$4,800.00) per annum, effective immediately.

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

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

AYES: -6-

NOES: -0-

ABSENT: -1-

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

RESOLVED, that Albert J. Kamm of Cheektowaga, New York, be and he hereby is appointed Town Engineer of the Town of Cheektowaga, New York, at an annual salary of \$10,000, effective immediately.

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

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

AYES: -6-

NOES: -0-

ABSENT: -1-

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

RESOLVED, that the salaries of Town Employees and Officials for the Year 1962, and thereafter, be established as follows:

Supervisor	\$9,000.00
Town Clerk	7,600.00
Town Attorney	8,800.00
Deputy Town Attorney	7,000.00
Justices of the Peace (2) each	5,600.00
Councilmen (6) each	4,600.00
Receiver of Taxes	7,800.00
Chairman of Board of Assessors	6,200.00
Assessors (2) each	5,500.00
Superintendent of Highways	9,800.00
Principal Account Clerk, Highway	5,700.00
General Foreman - Sanitation	6,200.00
Principal Clerk DO	5,000.00
Building & Plumbing Inspector	6,800.00
Ass'd. Building & Plumbing Inspector	5,600.00
Town Engineer	10,000.00
Assistant Engineer	6,200.00
Jr. Engineering Aides (2)	5,400.00
Draftsman	5,400.00
Rodman	4,800.00
Sr. Clerk-Special Assessments	4,500.00
Deputy Town Clerk (First)	4,150.00
Deputy Town Clerk (second)	3,850.00
Telephone Operator	3,700.00
Dog Wardens (2) each	3,700.00
Park & Recreation Director	4,850.00
Secretary to Supervisor	4,850.00
Payroll Clerk	4,150.00
Bookkeeper (Part time)	3,200.00
Sr. Account Clerk - Tax Office	4,150.00
Accounting Machine Operator	3,500.00
Addressograph Operator	3,950.00
Stenographers (6) each	3,500.00
Janitors (2) each	5,000.00
Charwoman, per Diem	12.86
Extra Clerks, per Diem	13.35
Foreman - Incinerator	6,000.00
Ass't. Foreman DO	5,700.00
Incinerator Operator, Henry Newman	5,300.00
Incinerator Operators (8) each	5,000.00
Superintendent of Sewage Plants	5,800.00
Operator, Ejnik (Sewage Plant #5)	5,100.00
Operator, Hyzy (Sewage Plant #3)	5,100.00
Sewage Plant Operators, Dist. #3 (4) each	5,000.00
Sewage Plant Operators, Dist. #5 (12) each	5,000.00
Chief of Police	7,500.00
Lieutenants (5) each	6,100.00
Detective Sergeants (9) each	5,950.00
Patrolmen (48) each	5,600.00
Police Disp. & Tel. Operator (4) each	5,600.00
Auto Mechanic - Police	5,600.00
Radio Maintenance Man	1,400.00
Police Matron	1,700.00
Motor Equipment Operators, per hour	2.29
Laborers, per hour	2.21
School Crossing Guards, per hour	1.35
Traffic Guards, per hour	2.00
Working Foreman - Highway (2) each, per hour	2.50
Auto Mechanic - Highway, per hour	2.50
Motor Equipment Operators, per hour - A	2.45
" " " - B	2.30
Recreation Secretary, PT	1,300.00
Recreation Supervisor	2,000.00
Laborer - William Kornecki, per hour	1.60
Extra Clerk - PT - Patricia Bater, per hour	2.00
Recreation Supervisors, per hour	2.90
" " per hour	1.75
Park Attendants, per hour	2.11

Item No. 11-Cont'd.

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

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

AYES: -6-

NOES: -0-

ABSENT: -1-

31  
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Item No. 12 Moved by Councilman Kaczmarek, seconded by Supervisor Holtz, that the salary of the Health Officer be placed at \$7,000.00 for the year of 1962, instead of \$7,200.00.

Duly put to a vote, which resulted as follows:

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

AYES: -3-

NAYES: -3-

ABSENT: -1-

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Tie vote, Motion lost.

Item No. 13 Moved by Councilman Bystrak, seconded by Councilman Trojanoski, that the salary of the Health Officer for the year 1962 be placed in the amount of \$7,200.00.

Duly put to a vote, which resulted as follows:

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

AYES: -4-

NAYES: -2-

ABSENT: -1-

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

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

BENEDICT T. HOLTZ, SUPERVISOR

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

Item No. 14-Cont'd.

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

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

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

AYES: -6-

NOES: -0-

ABSENT: -1-

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Item No. 15  
Trojanoski:

Moved by Councilman Wroblewski, seconded by Councilman

RESOLVED, that the Official Bond of the Receiver of Taxes & Assessments, Edward H. Pfohl, in the amount of Forty Thousand Dollars (\$40,000.00) be approved, and that the Town Clerk be authorized and directed to file same bond in the Erie County Clerk's Office, and be it further

RESOLVED, that the Money and Securities Bond of the Receiver of Taxes & Assessments in the amount of:

Loss inside the premises . . . . .	\$10,000.00
Loss outside the premises. . . . .	10,000.00

It is agreed that the respective limits of liability are increased for the periods designated from the amounts specified in Column 1 to the amounts specified in Column 2, as to loss which occurs during such designated periods.

From February 1 to March 1 Insuring Agreement I from \$10,000.00 to \$50,000.00.

From February 1 to March 1 Insuring Agreement II from \$10,000.00 to \$50,000.00.

From October 1 to November 1 Insuring Agreement I from \$10,000.00 to \$50,000.00.

From October 1 to November 1 Insuring Agreement II from \$10,000.00 to \$50,000.00,

be filed in the Office of the Clerk of the County of Erie, New York.

AYES: -6-

NOES: -0-

ABSENT: -1-

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Item No. 16  
and moved its adoption:

Councilman Wroblewski presented the following resolution

RESOLVED, that the Official Bond of Kenneth Hanley, Town Clerk, be fixed in the sum of \$5,000.00.

That the Official Bond of John J. Zablotny, Town Highway Superintendent, be fixed in the amount of \$4,000.00.

That the Official Bond of Joseph Pyszczyński, Justice of the Peace, be fixed in the amount of \$4,000.00.

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Item No. 16-Cont'd.

And the Town Clerk is hereby authorized and directed to file the same bonds in the Office of the Erie County Clerk.

Seconded by Councilman Trojanoski.

AYES: -6-

NOES: -0-

ABSENT: -1-

14  
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13  
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Item No. 17 Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, certain groups are proposing to the State Legislature that many New York State Laws concerning Towns be revised for application to the larger Towns in Erie County, and

WHEREAS, this Town Board realizes that many changes are necessary, especially in regard to state aid, railroad relief, archaic Highway laws, and in many other areas, and

WHEREAS, many of the proposed revisions would divest the citizens of a community of the right to elect some presently elected Town Officials, and would place in one person, who may be dictatorial, the power to appoint not only presently elected officials, but also most department heads, thus decreasing the powers of the Town Board Members and the rights of the people who elect them.

NOW, THEREFORE,

BE IT RESOLVED, that this Town Board go on record as being in favor of the up-dating of the many out-moded State Laws, especially those which affect the Town of Cheektowaga and other larger Towns, but that such revisions be studied by the Towns involved and Committees appointed by the various Town Boards, that subsequent recommendations be made accordingly, and that no action be taken at the next session of the State Legislature and until such recommendations are submitted, and be it further

RESOLVED, that this Town Board also go on record as being definitely opposed to any legislation, at any time, which would diminish the powers and duties now vested in the Town Board, and place these powers in one individual, and be it further

RESOLVED, that the Town Clerk be and he hereby is directed to submit certified copies of this resolution to:

Governor Nelson Rockefeller  
Senate Majority Leader, Walter J. Mahoney  
Senate Minority Leader, Joseph Zaretzki  
Assembly Majority Leader, George Ingalls  
Assembly Minority Leader, Anthony Travia  
Senator Frank J. Glinski  
Assemblyman John B. Lis  
Assemblyman Julius Volker  
Erie County Democratic Chairman Peter J. Crotty  
Erie County Republican Chairman John H. Cooke  
President Sanford of the New York State Assoc. of Towns  
Frank Moore of the State Office of Local Government,  
and the Erie County Board of Supervisors.

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

Supervisor Holtz  
Councilman Bystrak  
Councilman Fath  
Councilman Kaczmarek  
Councilman Trojanoski  
Councilman Wroblewski

Voting NAYE  
Voting AYE  
Voting AYE  
Voting AYE  
Voting AYE  
Voting AYE

AYES: -5-

NOES: -1-

ABSENT: -1-

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Item No. 18 Moved by Councilman Wroblewski, seconded by Councilman Kaczmarek:

WHEREAS, bids were received on December 18, 1961 for the purchase of four (4) General Electric Model FE 53 JA 1 combination Receivers-Transmitters, and one (1) General Electric FE 53 JA 1 Dual Transmitter-Receiver with Control Head; also one (1) General Electric Portable Voice Commander complete with rechargeable battery, including installation thereof on highway equipment as required, be it

RESOLVED, that the above be purchased from General Electric Communication Department at their bid price of \$4,800.00, they being the one and only bidder.

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

Item No. 19 Moved by Councilman Kaczmarek, seconded by Councilman Wroblewski, that the Town Engineer and Frank Lunz be authorized and directed to attend the 34th Annual Meeting of the New York Water Pollution Control Association at New York City on January 18, 1962 and January 19, 1962, their reasonable expenses being a proper town charge.

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

Item No. 20 Moved by Councilman Kaczmarek, seconded by Councilman Wroblewski, that the Town Attorney and the Deputy Town Attorney be authorized and directed to attend the Annual Bar Association Conference at New York City on January 23, 1962 to January 26, 1962, inclusive, and that their reasonable expenses be a proper Town charge.

Councilman Trojanoski moved, seconded by Councilman Bystrak, that the amendment be made to the foregoing resolution, that the Town Attorney, Deputy Town Attorney and the Town Health Officer be authorized and directed to attend the Annual Bar Association Conference at New York City on January 23, 1962 to January 26, 1962, inclusive, and that their reasonable expenses be a proper Town charge.

The vote on the amendment was as follows:

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

AYES: -3- NAYES: -3- ABSENT: -1-

The vote on the original resolution resulted as follows:

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

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

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

CAPITAL NOTE RESOLUTION DATED JANUARY 2, 1962, AUTHORIZING THE ISSUANCE OF \$87,893.22 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.

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Item No. 21-Cont'd.

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

Section 1. The Town of Cheektowaga, in the County of Erie, shall issue its Capital Notes of the aggregate principal amount of \$87,893.22, pursuant to the Local Finance Law of New York, in order to finance the specific object or 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 two (2) four-wheel drive Dump Trucks with Snow Plows, at a maximum cost of \$59,994.22, and one (1) Truck with Snow Blower, at a maximum cost of \$27,899.00.

Section 3. It is hereby stated that (a) the maximum cost of said purpose as estimated by the Town Board is \$87,893.22, and (b) no money has heretofore been authorized to be applied to the payment of the cost of such purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Capital Notes.

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

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

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.

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

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

AYES: -6-

NOES: -0-

ABSENT: -1-

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the Capital Note resolution hereinafter referred to has taken effect in accordance with law and the Town Board desires to make 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:

Item No. 21-Cont'd.

(1) Capital Notes of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$87,893.22 shall be issued pursuant to the Capital Note resolution entitled "Capital Note Resolution Dated January 2, 1962, Authorizing the Issuance of \$87,893.22 Capital Notes of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law, to Finance the Acquisition of Highway Machinery". Said Capital Notes shall be designated "Highway Machinery Capital Notes, Series A of 1962". Said Capital Notes shall consist of two notes of the denominations of \$43,946.61, numbered 1 and 2, in the order of their maturity, and shall constitute an issue of Capital Notes payable in annual installments on February 1 in each of the years 1963 and 1964.

(2) Each of said Capital Notes shall be dated as of a date on or subsequent to February 1, 1962, and shall bear interest from their date at the rate of Three Per Cent (3%) per annum. The interest on the Capital Notes shall be payable annually on February 1.

(3) Both principal of and interest on said Capital Notes shall be payable at the Manufacturers and Traders Trust Company of 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 Three Per Cent (3%) per annum.

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

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

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

AYES: -6-

NOES: -0-

ABSENT: -1-

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

STATE OF NEW YORK  
COUNTY OF ERIE  
ss.: }

**LEGAL NOTICE**

RESOLVED, that the Village of Depew is hereby authorized to borrow from the Marine Trust Company of Western New York, the

Trustee Potoczak offered the following resolution and moved its adoption:

The foregoing resolution was seconded by Trustee Natale and adopted.

Public Works and the Village Engineer.

on Street, and approves the payment of the final 10% retainer fee to said Contractor, Transit Paving Inc., on the condition that he files

the Village Board does hereby accept said completion of said Canton Street, and approves the payment of the final 10% retainer fee

as been completed by the Contractor, Transit Paving, Inc., according to plans and specifications,

that the work on Canton Street, in the Village of Depew, New York, hat the work on Canton Street, in

RESOLVED, that upon the information from the Village Engineer, adopted.

The aforesaid resolution was seconded by Trustee Kibler and adopted.

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

Notary Public in and for Erie County

RICHARD G. BENNETT  
being duly sworn, deposes and says that he is the  
PUBLISHER  
of the

**Herald and News**  
Depew  
Cheektowaga

a newspaper with general circulation in the Towns of Cheektowaga and Lancaster, and published at Depew, 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 \_\_\_\_\_, 19\_\_\_\_, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

## LEGAL NOTICE

CAPITAL NOTE RESOLUTION  
DATED JANUARY 2, 1962, AUTH-  
ORIZING THE ISSUANCE OF \$87,-  
893.22 CAPITAL NOTES OF THE  
TOWN OF CHEEKTOWAGA, IN  
THE COUNTY OF ERIE, PURSU-  
ANT TO THE LOCAL FINANCE  
LAW, TO FINANCE THE ACQUI-  
SITION OF HIGHWAY MACHIN-  
ERY.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

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

Section 1. The Town of Cheek-  
towaga, in the County of Erie, shall  
issue its Capital Notes of the ag-  
gregate principal amount of \$87,-  
893.22, pursuant to the Local Fi-  
nance Law of New York, in order to  
finance the specific object or pur-  
pose hereinafter described.

Section 2. The specific purpose  
(hereinafter referred to as "pur-  
pose") to be financed by the iss-  
uance of such Capital Notes is the  
acquisition of machinery or appa-  
ratus for highway construction or  
maintenance, and consists of two  
(2) four-wheel drive Dump Trucks  
with Snow Plows, at a maximum  
cost of \$59,904.22, and one (1)  
Truck with Snow Blower, at a maxi-  
mum cost of \$27,989.00.

Section 3. It is hereby stated that  
(a) the maximum cost of said pur-  
pose as estimated by the Town  
Board is \$87,893.22, and (b) no  
money has heretofore been author-  
ized to be applied to the payment  
of the cost of such purpose, and (c)  
the Town Board plans to finance  
the cost of said purpose entirely  
from funds raised by the issuance  
of said Capital Notes.

Section 4. It is hereby deter-  
mined that said purpose is an ob-  
ject or purpose described in Subdi-  
vision 28 of Paragraph a of Sec-  
tion 11:00 of the Local Finance  
Law, and that the period of prob-  
able usefulness of said purpose is  
five years.

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

Section 6. This resolution shall  
be published in full by the Town  
Clerk of said Town, together with  
a notice in substantially the form  
prescribed by Section 81.00 of said  
Local Finance Law, and such publi-  
cation shall be in the DEPEW  
HERALD AND CHEEKTOWAGA  
NEWS, a newspaper published and  
having a general circulation in  
said Town. The validity of said Cap-  
ital Notes may be contested only if  
such obligations are authorized for  
an object or purpose for which  
said Town is not authorized to ex-  
pend money, or the provisions of  
law which should be complied with  
at the date of publication of this  
resolution were not substantially  
complied with, and an action, suit  
or proceeding contesting such val-  
idity is commenced within twenty  
days after the date of such publi-  
cation; or if said obligations are  
authorized in violation of the pro-  
visions of the Constitution of New  
York.

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

The Capital Note resolution pub-  
lished herewith has been adopted  
on the 2nd day of January, 1962,  
and the validity of the obligations  
authorized by such Capital Note  
resolution may be hereafter con-  
tested only if such obligations were  
authorized for an object or purpose  
for which the Town of Cheektow-  
aga, 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 pro-  
ceeding contesting such validity is  
commenced within twenty days  
after the date of publication of  
this notice; or such obligations  
were authorized in violation of the  
provisions of the Constitution of  
New York.

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

Depew Cheektowaga  
**Herald and News**

Item No. 22 Councilman Bystrak offered the following resolution and moved its adoption:

BE IT RESOLVED, that pursuant to request made by the Chief of Police, the following advertisement for bids for the purchase of six (6) new Police Cars be published in the DEPEW HERALD AND CHEEKTOWAGA NEWS on January 4, 1962:

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on January 15, 1962, at 7:30 o'clock P.M., E.S.T., at the Town Hall, corner of Broadway and Union Road, for the furnishing of six (6) Police Cars. Six (6) presently owned cars will be traded in.

The determination of the lowest bidder shall be on a basis of lowest net bid after deduction of trade-in allowances.

Information for bidders and specifications may be obtained from the Town Clerk at his office in said Town Hall.

Dated: January 2, 1962

KENNETH T. HANLEY  
Town Clerk

Seconded by Councilman Wroblewski.

AYES: -6-

NOES: -0-

ABSENT: -1-

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

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

**NOTICE TO BIDDERS**

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on January 15th, 1962, at 7:30 o'clock p.m., E.S.T., at the Town Hall, corner of Broadway and Union Road, for the furnishing of six (6) Police Cars. Six (6) presently owned cars will be traded in.

The determination of the lowest bidder shall be on a basis of lowest net bid after deduction of trade-in allowances.

Information for bidders and specifications may be obtained from the Town Clerk at his office in said Town Hall.

Dated: January 2, 1962

ja4 KENNETH T. HANLEY,  
Town Clerk

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a newspaper with general circulation in the Towns of Cheektowaga and Lancaster, and published at Depew, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 4th day of January, 1962, and the last insertion being on the        day of       , 19      , and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this 9 day of

January, 1962

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

2

Item No. 23 This being the time and the place advertised for the receiving of sealed proposals for furnishing all materials, tools, equipment, and together with all labor for the construction of Scajaquada Creek channel improvement, Depew Section, consisting of: straightening, widening and deepening channel from Dick Road to Ledyard Avenue, including a prefabricated concrete retaining wall, and all other related work in accordance with the contract documents therefore, instructions to bidders, etc., as prepared by Nussbaumer, Clarke and Velzy, Consulting Engineers, for the Town of Cheektowaga.

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

Moved by Councilman Fath, seconded by Councilman Wroblewski, that the Town Clerk be authorized and directed to open and read aloud the sealed proposals on hand.

The bids were referred to the Town Engineer for analysis and tabulation.

Hereto is a summary of the bids received:

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26

# BID TABULATION - CONSTRUCTION OF SCAJAQUADA CREEK CHANNEL IMPROVEMENT - DEWEY SECTION - TOWN OF C

BIDDERS				SCHWAB BROS.		R.L. VOGEL		FAGO BROS. CONT. CO. INC.		DUMP TRUCK SERVICE INC.		S
ITEM NO.	DESCRIPTION	AMT.	UNIT	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT
1	STREAM CHANNEL IMPROVEMENT STA. 0+00 TO STA. 66+65	—	L.S.		35,229		50,000		65,140		66,870	
2	PRECAST REINFORCED CONCRETE CRIBBING	1200	S.F.	7.98	8,496	9.50	11,400	9.80	11,760	9.80	11,160	8.25
TOTAL FOR BID ITEMS 1 AND 2 INCL.					43,725.00		61,400.00		76,900.00		78,030.00	78
BID SECURITY				NEW AMSTERDAM CAS. CO.		TRAVELERS IND. CO.		MANAGERS CHECK \$4,000 M. & T. BANK		ST. PAUL FIRE & MARINE		MA

BIDS RECEIVED: JANUARY 2, 1962 2:30 P.M. E.S.T.

\* DENOTES CORRECTED FIGURE

- TOWN OF CHEEKTOWAGA - ERIE COUNTY - NEW YORK

JMP TRUCK SERVICE INC.		STRACO INC.		DRAICCHIO & CARADORI CONST.		C.M.H. CO. INC.		DEPEW PAVING CO.		E.A. WILLIAMSON		W.J. Lewis & Sons		S. J. ...		R. D. ...	
UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL
	66,870		69,090		65,000		75,000		80,180		...		...		...		...
50	11,160	8.32	9,900	NONE	15,000	7.22	9,300	10.50	12,600	7.40	...	...	...	...	...	...	...
78,030.00		78,990.00		80,000.00		84,300.00		92,780.00		...		...		...		...	
ST. PAUL FIRE & MARINE		MARYLAND CAS. CO.		TRAVELERS IND. CO.		AETNA CAS. & SURETY CO.		TRAVELERS IND. CO.		...		...		...		...	

Town of Cheektowaga, New York  
Erie County, New York

Item No. 24      The following resolution was moved by Councilman Bystrak  
and seconded by Councilman Wroblewski:

That the following claims be approved as presented:

General Fund	Nos.	5560	to	5564	Inclusive
Special Districts		2047		2049	

AYES:    -6-

NOES:    -0-

ABSENT:   -1-

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Item No. 25      Ordered tabled by the Chairman, the final determination  
for the Extension of Sewer District No. 7.

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Item No. 26      Referred to Councilman Bystrak the request of the William  
Street Citizens' and Taxpayers' Protective Association for better street  
lighting facilities on Harlem Avenue between William Street and Broadway.

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Item No. 27      Ordered received and filed the Annual Report of the  
Receiver of Taxes and Assessments for the Year 1961.

38

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

SEAL

KENNETH T. HANLEY  
Town Clerk

MEETING NO. 2

CHEEKTOWAGA, NEW YORK  
JANUARY 15, 1962

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 15th day of January, 1962, at 7:30 o'clock P.M., Eastern Standard Time, there were:

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

ABSENT: Benedict T. Holtz Supervisor

Also present were: Town Clerk Hanley; Town Attorney Kitzinger; Deputy Town Attorney Delahunt; Town Engineer Kamm, and Chief of Police Mersmann.

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

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

Item No. 3 Ordered received and filed communication from the William Street Citizens' and Taxpayers' Association wishing to go on record as being opposed to the application of the Buffalo Air Park for rezoning of a strip of land at the Gardenville Industrial Park.

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Item No. 4 Ordered referred to the Town Attorney Petition and Assessors report for the extension of Water District No. 9 (Freemont Avenue, Cameron Avenue, and Park Avenue).

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Item No. 5 Ordered referred to the Town Board and the Deputy Town Attorney the request of the Cheektowaga Symphony Orchestra that their request for financial help for the Year 1962 in the amount of \$3,750.00, be considered.

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Item No. 6 Ordered referred to the Assessors for a property check the petition for street lighting improvement in Santin Drive from George Urban Blvd. to Nadine Drive.

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Item No. 7 Ordered referred to Councilman Fath the request that the Town Board attend a meeting on January 28, 1962, at 3:00 o'clock P.M., at the Cheektowaga Central High School for the purpose of erecting libraries in the Town of Cheektowaga.

34  
44

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

RESOLVED, that pursuant to Section 205 of the Highway Law, and upon the certification of John J. Zablotny, Town Superintendent of Highways of the Town of Cheektowaga, that the following described portion of the town highway in the Town of Cheektowaga known as "The Avenue", which has not been opened or worked for more than six years last past, and which has never been accepted as a public highway, street or avenue of the Town of Cheektowaga, be, and the same hereby is discontinued and abandoned:

Item No. 8-Cont'd.

COMMENCING at the intersection of the northerly line of New Walden Avenue with the easterly line of The Avenue, which point is 429.87 feet north of the northerly line of Old Walden Avenue (now known as Dale Road); proceeding from said intersection point in a northerly direction along the easterly line of The Avenue 585.13 feet to the northwesterly corner of Sublot No. 149 of Map Cover 372; proceeding thence at right angles with the said easterly line of The Avenue in a westerly direction for a distance of 49.50 feet to a point in the westerly line of The Avenue, which point is the northeasterly corner of Sublot No. 97 of Map Cover 372; proceeding thence in a southerly direction along the westerly line of The Avenue parallel with the easterly line of The Avenue for a distance of 604.15 feet to a point in the northerly line of New Walden Avenue; proceeding thence in a northeasterly direction 53.03 feet to the point of beginning.

It being intended hereby to describe all of the said town highway known as "The Avenue" from the northerly line of New Walden Avenue north to a line drawn between the northwest corner of Sublot No. 149 of Map Cover 372 and the northeast corner of Sublot No. 97 of Map Cover 372.

Seconded by Councilman Kaczmarek.

AYES: -6-                      NOES: -0-                      ABSENT: -1-                      13  
33

Item No. 9                      Moved by Councilman Kaczmarek, seconded by Councilman Fath, that the final determination for the extension of Sewer District No. 7 be tabled until 2:30 o'clock P.M., on February 5, 1962.

Duly put to a vote, which resulted as follows:

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

AYES: -4-                      NAYES: -2-                      ABSENT: -1-                      24  
42

Item No. 10                      This being the time and the place advertised for the receiving of sealed proposals for the purchase of six (6) police cars for use in the Police Department.

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

The Town Clerk announced that there is only one bidder and that was Clements-Gillogly of West Seneca, New York, in the amount of \$9,228.76 net.

The bid was ordered referred to the Town Board and the Chief of Police for analysis.                      1  
18

Item No. 11                      Councilman Kaczmarek offered the following resolution and moved its adoption:

RESOLVED, that the annual salaries of Justices of the Peace John J. Jablonski and Joseph Pyszczynski be increased from \$5,600.00 to \$5,800.00, effective immediately.

Seconded by Councilman Trojanoski.

AYES: -6-                      NOES: -0-                      ABSENT: -1-                      30  
33

Item No. 12 Moved by Councilman Trojanoski, seconded by Councilman Kornecki, that Edward Banko be appointed as General Foreman at an annual salary of \$6,400.00, retroactive to January 1, 1962.

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

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

RESOLVED, that Charlotte Janiak, Cheektowaga, New York, be and she hereby is appointed Deputy Town Clerk at the annual salary of \$4,150.00, effective immediately, and be it further

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

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

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

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

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

RESOLVED, that the Official Bond of Benedict T. Holtz, Supervisor, be fixed in the sum of \$100,000.00, and the Town Clerk is hereby authorized and directed to file the same bond in the office of the Erie County Clerk.

Seconded by Councilman Trojanoski.

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

14  
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Item No. 15 Councilman Bystrak offered the following resolution and moved its adoption:

WHEREAS, sealed bids were heretofore received on January 2, 1962, pursuant to advertisement therefor, for the deepening, widening, and other improvement to Scajaquada Creek, from Dick Road to Ledyard Avenue, which bids are as follows:

Schwab Bros.	- \$43,725.00
R. L. Vogel	- 61,400.00
Fago Bros. Construction Co., Inc.	- 76,900.00

and

WHEREAS, said bids were referred to Nussbaumer, Clarke & Velzy, Consulting Engineers for this Town, for analysis, tabulation and report, which said engineers have submitted the attached report dated January 11, 1962; NOW, THEREFORE,

BE IT RESOLVED, that contract for the said improvement of Scajaquada Creek be awarded to Schwab Bros., at its bid price of \$43,725.00, it being the lowest responsible bidder.

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

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

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26

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

RESOLVED, that the New York State Thruway Authority be authorized and directed to clear off the ice and snow on the following named bridges in the Town of Cheektowaga, New York:

Cleveland Drive; Maryvale Drive; Genesee Street;  
Walden Avenue; George Urban Blvd.

FURTHER RESOLVED, that the New York State Highway Department be authorized and directed to clean off the ice and snow on the Broadway and Union Road bridges.

FURTHER RESOLVED, that the County Highway Department be authorized and directed to clean off the ice and snow on the following named bridges:

Walden Avenue and Harlem Road  
Broadway and William Street.

Seconded by Councilman Trojanoski.

AYES: -6-

NOES: -0-

ABSENT: -1-

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

BE IT RESOLVED, that there be transferred from the General Fund, \$20,000 to the Highway Fund, as a temporary loan pending receipt of tax monies.

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

AYES: -6-

NOES: -0-

ABSENT: -1-

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12  
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Trojanoski:

**LEGAL NOTICE**

WHEREAS, the Zoning Board of Appeals of the Town of Cheektowaga, Erie County, New York, held a public hearing for the purpose of considering the application of The Polish National Cathedral of the Holy Mother of the Rosary for the rezoning of premises from Residential District to Business District of the property hereinafter described and amending the Zoning Map and Ordinance accordingly, and

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

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

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

**DESCRIPTION**

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

Beginning at a point in the southerly line of Walden Avenue Extension and its intersection with the east line of land deeded to Joseph Czerwonka by deed recorded in Erie County Clerk's Office in Liber 3817 of Deeds at page 139, which said line is also the easterly line of lands conveyed to Emil P. Wahl by deed recorded in Erie County Clerk's Office in Liber 1264 of Deeds at page 291, running thence easterly along the southerly line of Walden Avenue Extension 382.35 feet to the north west corner of lands conveyed to John J. Maroone by deed recorded in Erie County Clerk's Office in Liber 5718 of Deeds at page 505, thence southerly and along the west line of lands deeded by aforesaid deed to John J. Maroone a distance of 880.34 feet to the north line of a 7½ foot strip reserved by the County of Erie in deed recorded in Erie County Clerk's Office in Liber 5076 of Deeds at page 53 and re-recorded in Liber 5085 of Deeds at page 368, running thence westerly and along the north line of said 7½ foot strip 381.10 feet to the east line of lands deeded to Joseph Czerwonka by first mentioned deed, thence northerly and along Czerwonka's east line 622.30 feet to Walden Avenue Extension and the point of beginning.

200 feet frontage and a depth of 250 feet to be zoned for business use only.

Dated: January 15, 1962

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

CARRIED: AYES: -6-

ABSENT: -1-

The above Notice was posted on the Town Hall Bulletin Board on the 20th day of January, 1962.

Item No. 19 Moved by Councilman Kaczmarek, seconded by Councilman Trojanoski, that the Supervisor be authorized and directed to cast a vote at the Annual Association of Towns Meeting to be held on February 14, 15, and 16, 1962, at Buffalo, New York.

FURTHER RESOLVED, that Councilman Felix T. Wroblewski be designated to act as an Alternate.

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

39  
42

Item No. 20 Moved by Councilman Wroblewski, seconded by Councilman Trojanoski, that the Town Clerk be authorized and directed to issue Building Permits on applications approved by the Building Inspector in his communication dated January 15, 1962.

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Item No. 21 The following resolution was moved by Councilman Kornecki and seconded by Councilman Bystrak:

That the following claims be approved as presented:

General Fund	Nos. 5571	to	5624	inclusive
Highway Fund	1566		1605	
Special Districts	2051		2096	
Part Town Fund	635		642	

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

Item No. 22 Moved by Councilman Kaczmarek, seconded by Councilman Bystrak, to adjourn.

SEAL

KENNETH T. HANLEY  
Town Clerk

MEETING NO. 3CHEEKTOWAGA, NEW YORK  
FEBRUARY 5, 1962

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, on the 5th day of February, 1962, at 2:30 o'clock P.M., Eastern Standard time, there were:

PRESENT:	Benedict T. Holtz	Supervisor
	Felix T. Wroblewski	Councilman
	Joseph Kornecki	Councilman
	Michael J. Kaczmarek	Councilman
	Joseph M. Trojanoski	Councilman

ABSENT:	Alancin M. Fath	Councilman
	Stanley R. Bystak	Councilman

Also present were: Town Clerk Hanley; Town Attorney Kitzinger; Deputy Town Attorney Delahunt; Chief of Police Mersmann; Dog Warden Kraska; Town Historian Julia B. Reinstein; Town Engineer Kamm; Special Tax Clerk Reece; Assessors Schwenk and General Foreman Banko.

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

Item No. 3 Ordered referred to Councilman Wroblewski the request of the Chief of Police for parking regulations in Highview Road; Reo Street and Floral Place. 18  
41

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

WHEREAS, a petition for the extension of Water District No. 9 of the Town of Cheektowaga, New York, pursuant to the provisions of Article 12 of the Town Law, was presented to this Town Board on January 15, 1962, and

WHEREAS, it appears to the Town Board that the above petition was duly signed and acknowledged in the same manner as a deed to be recorded, by the owners of taxable real property situate in the proposed extension of said Water District No. 9 owning in the aggregate at least one-half of the assessed valuation of all the taxable real property of the proposed extension, as shown upon the latest completed assessment roll of said Town, and by resident owners owning taxable real property aggregating at least one-half of the assessed valuation of all the taxable real property of the proposed extension owned by resident owners, according to the latest completed assessment roll of said Town, and

WHEREAS, said petition is accompanied by a map prepared by Albert J. Kamm, Town Engineer of the Town of Cheektowaga, showing the boundaries of said proposed water district extension, and a general plan of the proposed water system, the source of water supply, and the location of water mains, distributing pipes and hydrants, and

WHEREAS, the proposed water district extension is described in said petition as follows:

DESCRIPTION OF PROPOSED EXTENSION  
OF  
WATER DISTRICT NO. 9  
TOWN OF CHEEKTOWAGA, NEW YORK

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, and being more particularly bounded and described as follows:

Item No. 4-Cont'd

BEGINNING at a point in the center line of Park Avenue, said point being 233 feet north of the Center Line of Como Park Boulevard;

THENCE westerly a distance of 686.88 feet along a line which is the northern boundary of the existing "Como Park Extension of Water District No. 9";

THENCE northerly a distance of 415 feet along the west line of the subdivision shown on Map Cover No. 1065 as filed in the Erie County Clerk's Office in Liber of Deeds 917, Page 78 to the Center Line of Anderson Place;

THENCE easterly a distance of 824.88 feet along the Center Line of Anderson Place to the east line of the subdivision shown on Map Cover No. 1065;

THENCE southerly a distance of 415 feet along the east line of the subdivision shown on Map Cover No. 1065 to the northern boundary of the existing "Como Park Extension of Water District No. 9";

THENCE westerly a distance of 138 feet along the northern boundary of the existing "Como Park Extension of Water District No. 9" to the point of beginning.

and

WHEREAS, the territory hereinbefore described is situate entirely in said Town, outside of any incorporated village or city therein, and

WHEREAS, it is estimated that the expense of constructing such improvement is \$10,500.00, and such sum is the maximum amount proposed to be expended for such purpose;  
NOW, THEREFORE,

IT IS ORDERED, that the Town Board of the Town of Cheektowaga, New York, meet at the Town Hall, corner of Union Road and Broadway in the Town of Cheektowaga, on the 19th day of February, 1962, at 7:30 o'clock P.M., Eastern Standard Time, to consider said petition and to hear all persons interested in the subject thereof concerning the same, and

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

IT IS FURTHER ORDERED, that a copy of this order, certified by the Town Clerk, be published at least once in the DEPEW HERALD AND CHEEKTOWAGA NEWS, a newspaper having a general circulation in the territory affected, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing aforesaid, and that copies of this order be posted conspicuously in five (5) public places within the area where said proposed water district extension is to be made, not less than ten (10) nor more than twenty (20) days before said day designated for the hearing.

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

Item No. 4-Cont'd.

Supervisor Holtz	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kaczmarek	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -2-

Posted as follows on the 8th day of February, 1962:

- 1- Telephone Pole No. 415 on Park Avenue;
- 2- Telephone Pole No. 441 on Park Avenue;
- 3- Telephone Pole No. 6 on Anderson Place;
- 4- Telephone Pole No. 7 on Freemont Avenue;
- 5- Telephone Pole No. 8 on Freemont Avenue.

Hereto attached is a copy of the notice of hearing published in the Depew Herald and Cheektowaga News.

(Attaches to next page)

17  
29**PERSONAL**

FOR YOUR WEDDING INVITATIONS—Reception Cards, Personal Cards, etc. See "Joe" Mingoia, manager of Commercial Printing of the Lancaster Enterprise, 24-26 Clark St.

WEDDING and SHOWER INVITATIONS, NAPKINS, MATCHES with Name Imprinted. 1 Day Service. GIFTS FOR ALL OCCASIONS

Boasting Out—Luminous Cocktail  
Fountains For Bridal Showers—  
Umbrellas, Wishing Wells, and  
Sprinkling Cans in Pink and White

**BRIGHT SPOT POTTERY**  
MILDRED & LEONARD TREUB  
NT 3-1668

4911 Broadway

DEPEW

**REAL ESTATE for SALE**

MUST SELL, leaving town March 1st—3 bedroom ranch, cathedral ceiling, attached garage, excellent condition. NT 3-8535. 2-6

DAUM REALTOR has your house at your price. Cape Cods, Mass. Income Prop.

**RICHARD G. BENNETT**

being duly sworn, deposes and says that he is the

**PUBLISHER**

of the

Depew Cheektowaga  
**Herald and News**

a newspaper with general circulation in the Towns of Cheektowaga and Lancaster, and published at Depew, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 8th day of February, 1962, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

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

\_\_\_\_\_, 19\_\_\_\_

*Kenneth T. Hanley*

Notary Public in and for Erie County

Item No. 4-Cont'd.

Supervisor Holtz	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kaczmarek	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -2-

Posted as follows on the 8th day of February, 1962:

- 1- Telephone Pole No. 415 on Park Avenue;
- 2- Telephone Pole No. 441 on Park Avenue;
- 3- Telephone Pole No. 6 on Anderson Place;
- 4- Telephone Pole No. 7 on Freemont Avenue;
- 5- Telephone Pole No. 8 on Freemont Avenue.

Hereto attached is a copy of the notice of hearing published in the Depew Herald and Cheektowaga News.

(Continued on next page)

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

EXTRACTS FROM MINUTES  
OF TOWN BOARD  
WATER DISTRICT NO. 9

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, corner of Broadway and Union Road in said Town, on the 5th day of February, 1962, at 2:30 o'clock P.M., Eastern Standard Time, there were:

## PRESENT:

Benedict T. Holtz, Supervisor  
Felix T. Wroblewski, Councilman  
Joseph Kornecki, Councilman  
Joseph Trojanoski, Councilman  
Michael J. Kaczmarek, Councilman

## ABSENT:

Stanley Bystrak, Councilman  
Alancin M. Fath, Councilman

Councilman Trojanoski presented the following resolution and moved its adoption:

WHEREAS, a petition for the extension of Water District No. 9 of the Town of Cheektowaga, New York, pursuant to the provisions of Article 12 of the Town Law, was presented to this Town Board on January 15, 1962, and

WHEREAS, it appears to the Town Board that the above petition was duly signed and acknowledged in the same manner as a deed to be recorded, by the owners of taxable real property situate in the proposed extension of said Water District No. 9 owning in the aggregate at least one-half of the assessed valuation of all the taxable real property of the proposed extension, as shown upon the latest completed assessment roll of said Town, and by resident owners owning taxable real property aggregating at least one-half of the assessed valuation of all the taxable real property of the proposed extension owned by resident owners, according to the latest completed assessment roll of said Town, and

WHEREAS, said petition is accompanied by a map prepared by Albert J. Kamm, Town Engineer of the Town of Cheektowaga, showing the boundaries of said proposed water district extension, and a general plan of the proposed water system, the source of water supply, and the location of water mains, distributing pipes and hydrants, and

WHEREAS, the proposed water district extension is described in said petition as follows:

DESCRIPTION OF PROPOSED  
EXTENSION OF  
WATER DISTRICT NO. 9  
TOWN OF CHEEKTOWAGA,  
NEW YORK

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, and being more particularly bounded and described as follows:

BEGINNING at a point in the center line of Park Avenue, said point being 233 feet north of the Center Line of Como Park Boulevard;

THENCE westerly a distance of 686.88 feet along a line which is the northern boundary of the existing "Como Park Extension of Water District No. 9";

THENCE northerly a distance of 415 feet along the west line of the subdivision shown on Map Cover No. 1065 as filed in the Erie County Clerk's Office in Liber of Deeds

Page 78 to the Center Line of Anderson Place;

THENCE easterly a distance of 324.88 feet along the Center Line of Anderson Place to the east line of the subdivision shown on Map Cover No. 1065;

THENCE southerly a distance of 415 feet along the east line of the subdivision shown on Map Cover No. 1065 to the northern boundary of the existing "Como Park Extension of Water District No. 9";

THENCE westerly a distance of 136 feet along the northern boundary of the existing "Como Park Extension of Water District No. 9" to the point of beginning.

and WHEREAS, the territory hereinbefore described is situate entirely in said Town, outside of any incorporated village or city therein, and

WHEREAS, it is estimated that the expense of constructing such improvement is \$10,500.00, and such sum is the maximum amount proposed to be expended for such purpose; NOW, THEREFORE,

IT IS ORDERED, that the Town Board of the Town of Cheektowaga, New York, meet at the Town Hall, corner of Union Road and Broadway in the Town of Cheektowaga, on the 10th day of February, 1962, at 7:30 o'clock P.M., Eastern Standard Time, to consider said petition and to hear all persons interested in the subject thereof concerning the same, and

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

IT IS FURTHER ORDERED, that a copy of this order, certified by the Town Clerk, be published at least once in the DEPEW HERALD AND CHEEKTOWAGA NEWS, a newspaper having a general circulation in the territory affected, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing aforesaid, and that copies of this order be posted conspicuously in five (5) public places within the area where said proposed water district extension is to be made, not less than ten (10) nor more than twenty (20) days before said day designated for the hearing.

Seconded by Councilman Kaczmarek and duly put to a vote which resulted as follows:  
Supervisor Holtz, Voting Aye  
Councilman Wroblewski,

Voting Aye  
Councilman Kornecki, Voting Aye  
Councilman Trojanoski, Voting Aye  
Councilman Kaczmarek, Voting Aye

AYES: 5; NOES: 0; ABSENT: 2  
State of New York )  
County of Erie )

I, KENNETH T. HANLEY, Town Clerk of the Town hereinafter des-

cribed, DO HEREBY CERTIFY as follows:

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on February 5, 1962, and minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at page No. A-2, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 5th day of February, 1962.

KENNETH T. HANLEY  
Town Clerk

(seal)

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17  
29

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

WHEREAS, Nussbaumer, Clarke and Velzy, engineers duly licensed by the State of New York, have, at the instance of the Town Board, prepared a map, plan and report providing for the extension of Sewer District No. 7, and said map, plan and report has been filed in the office of the Town Clerk, in accordance with Article 12-A of the Town Law, and said map, plan and report shows the sewer lines and the appurtenances necessary for their operation to be constructed within the extension of said Sewer District, and the location of each, and

WHEREAS, the boundaries of said proposed extension of said Sewer District, as set forth in said map, plan and report, are as follows:

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Cheektowaga, County of Erie, and State of New York, bounded and described as follows:

BEGINNING at a northwest corner of the Village of Depew formed by the intersection of a north line of the Village of Depew and the center line of Dick Road, which is also a westerly line of the Village of Depew; thence easterly and along said northerly line of the Village of Depew a distance of approximately sixty-one hundred thirty feet (6130) to its intersection with the center line of the present westerly track of the New York Central Railroad; thence southeasterly, southerly and southwesterly along the said center line of said track to its intersection with the southerly line of Ellicott Road as presently laid out, which point of intersection is at a distance of approximately eleven hundred (1100) feet west of the center line of Burkhardt Avenue; thence westerly along the southerly line of Ellicott Road to its intersection with the center line of Dick Road; thence northwesterly along the center line of Dick Road and along a westerly line of the Village of Depew a distance of approximately sixty-two hundred fifty (6250) feet to its intersection with a northerly line of the Village of Depew, the place of beginning.

and

WHEREAS, the improvements proposed to be made in the extension of said Sewer District consist of sewer lines and the appurtenances suitable for their operation, and the maximum amount proposed to be expended therefore is \$190,000, which is to be raised by the issuance of bonds issued by the Town of Cheektowaga, and

WHEREAS, it is proposed that the cost of making said improvements shall be assessed by the Town Board in proportion as nearly as may be to the benefit which each lot or parcel of land within the proposed extension of said Sewer District will derive therefrom, and

WHEREAS, said map, plan and report is on file in the office of the Town Clerk for public inspection; NOW, THEREFORE,

BE IT ORDERED by the Town Board of the Town of Cheektowaga that said Town Board shall meet at the Town Hall, corner of Broadway and Union Road in said Town, on the 19th day of February, 1962, at 7:30 o'clock P.M., Eastern Standard Time, and hold a public hearing on the extension of said District, at which all persons interested in the subject thereof may be heard concerning the same.

FURTHER ORDERED THAT said Town Board shall at said time and place hear all evidence thereon which will enable it to determine, pursuant to the provisions of Article 12-A of the Town Law of New York, (a) whether the notice of such hearing was published and posted as required by law, and is otherwise sufficient; (b) whether all the property and property owners within the proposed extension of said District are benefited thereby; (c) whether all the

Item No. 5-Cont'd

property and property owners benefited are included within the limits of the proposed extension of said District; and (d) whether the extension of said District is in the public interest.

FURTHER ORDERED that the Town Clerk be and he hereby is directed to publish and post certified copies of this order at the time and in the manner provided by Article 12-A of the Town Law.

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

Supervisor Holtz	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Kaczmarek	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -2-

Posted as follows on the 8th day of February, 1962:

- 1- Telephone Pole No. 51 on Walden Avenue;
- 2- Telephone Pole No. 52 on Walden Avenue;
- 3- Telephone Pole No. 25 on Geo. Urban Blvd.;
- 4- Post at the corner of Lou Ann Drive and Geo. Urban Blvd.;
- 5- Post on Lou Ann Drive, west side, 25 feet of Geo. Urban Blvd.

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

(Affidavit on next Page)

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

**EXTRACTS FROM MINUTES  
OF TOWN BOARD  
SEWER DIST. 7 EXTENSION**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, corner of Broadway and Union Road in said Town, on the 5th day of February, 1962, at 2:30 o'clock P.M., Eastern Standard Time, there were:

**PRESENT:**

Benedict T. Holtz, Supervisor  
Felix T. Wroblewski, Councilman  
Joseph Trojanoski, Councilman  
Joseph Kornecki, Councilman  
Michael J. Kaczmarek, Councilman

**ABSENT:**

Stanley Bystrak, Councilman  
Alancin M. Fath, Councilman

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, Nussbaumer, Clarke and Velzy, engineers duly licensed by the State of New York, have, at the instance of the Town Board, prepared a map, plan and report providing for the extension of Sewer District No. 7, and said map, plan and report has been filed in the office of the Town Clerk, in accordance with Article 12-A of the Town Law, and said map, plan and report shows the sewer lines and the appurtenances necessary for their operation to be constructed within the extension of said Sewer District, and the location of each, and

WHEREAS, the boundaries of said proposed extension of said Sewer District, as set forth in said map, plan and report, are as follows:

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Cheektowaga, County of Erie, and State of New York, bounded and described as follows:

BEGINNING at a northwest corner of the Village of Depew formed by the intersection of a north line of the Village of Depew and the center line of Dick Road, which is also a westerly line of the Village of Depew, thence, easterly, and

along said northerly line of the Village of Depew a distance of approximately sixty-one hundred thirty feet (6130) to its intersection with the center line of the present westerly track of the New York Central Railroad; thence southeasterly, southerly and southwesterly along the said center line of said track to its intersection with the southerly line of Ellicott Road as presently laid out, which point of intersection is at a distance of approximately eleven hundred (1100) feet west of the center line of Burkhardt Avenue; thence westerly along the southerly line of Ellicott Road to its intersection with the center line of Dick Road; thence northwesterly along the center line of Dick Road and along a westerly line of the Village of Depew a distance of approximately sixty-two hundred fifty (6250) feet to its intersection with a northerly line of the Village of Depew, the place of beginning.

and  
WHEREAS, the improvements proposed to be made in the extension of said Sewer District consist of sewer lines and the appurtenances suitable for their operation, and the maximum amount proposed to be expended therefor is \$190,000, which is to be raised by the issuance of bonds issued by the Town of Cheektowaga, and

WHEREAS, it is proposed that the cost of making said improvements shall be assessed by the Town Board in proportion as nearly as may be to the benefit which each lot or parcel of land within the proposed extension of said Sewer District will derive therefrom, and

WHEREAS, said map, plan and report is on file in the office of the Town Clerk for public inspection; NOW, THEREFORE,

BE IT ORDERED by the Town Board of the Town of Cheektowaga that said Town Board shall meet at the Town Hall, corner of Broadway and Union Road in said Town, on the 19th day of February, 1962, at 7:30 o'clock P.M., Eastern Standard Time, and hold a public hearing on the extension of said District, at which all persons interested in the subject thereof may be heard concerning the same.

FURTHER ORDERED that said Town Board shall at said time and place hear all evidence thereon which will enable it to determine, pursuant to the provisions of Article 12-A of the Town Law of New York, (a) whether the notice of such hearing was published and posted as required by law, and is otherwise sufficient; (b) whether all the property and property owners within the proposed extension of said District are benefited thereby; (c) whether all the property and property owners benefited are included within the limits of the proposed extension of said District; and (d) whether the extension of said District is in the public interest.

FURTHER ORDERED that the Town Clerk be and he hereby is directed to publish and post certified copies of this order at the time and in the manner provided by Article 12-A of the Town Law.

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

Supervisor Holtz, Voting Aye  
Councilman Wroblewski,

Voting Aye

Councilman Trojanoski,

Voting Aye

Councilman Kornecki, Voting Aye

Councilman Kaczmarek,

Voting Aye

AYES: 5; NOES: 0; ABSENT: 2

State of New York )

County of Erie )

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on February 5, 1962, and minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at page No. A-3, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 5th day of February, 1962.

KENNETH T. HANLEY  
Town Clerk

(seal)

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RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

<sup>Depew</sup> <sup>Cheektowaga</sup>  
**Herald and News**

a newspaper with general circulation in the Towns of Cheektowaga and Lancaster, and published at Depew, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 8th day of February, 1962, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

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

FEB 10 1962, 19\_\_\_\_

*Glenore T. Aduly*

Notary Public in and for Erie County

**NOTICE OF ADOPTION**

**NOTICE IS HEREBY GIVEN** that the Town Board of the Town of Cheektowaga, in the County of Erie, State of New York, after holding a hearing on a map, plan and report providing for the extension of Sewer District No. 7 in said Town, and the construction therein of sewer lines and the appurtenances necessary for their operation, pursuant to Article 12-A of the Town Law, has adopted on the 5th day of February, 1962, a resolution which (1) determines that the notice of said hearing was duly published and posted as required by law and is otherwise sufficient, and that all property and property owners within said proposed extension of Sewer District No. 7 are benefited by the proposed extension of said Sewer District and by the making of the improvements in accordance with said map, plan and report, and that all property and property owners benefited thereby are included within the limits of said proposed extension of said Sewer District, and that the extension of said Sewer District is in the public interest, and (2) approves the extension of said Sewer District and the construction of the improvements provided for in said map, plan and report. The resolution provides that the proposed extension of Sewer District No. 7 shall contain the following territory:

**ALL THAT TRACT OR PARCEL OF LAND** situated in the Town of Cheektowaga, County of Erie, and State of New York, bounded and described as follows:

Beginning at the point of intersection of the northerly line of the Village of Depew, and the easterly right-of-way line of the New York Central Terminal Railroad;

Thence northerly along the easterly right-of-way line of the New York Central Terminal Railroad a distance of 2380 feet, more or less, to a point on a line being at right angles to the easterly right-of-way line of the New York Central Terminal Railroad;

Thence westerly on said line a distance of 80 feet, more or less, to a point on the westerly right-of-

way line of the New York Central Terminal Railroad going in a northeasterly direction, said point also being a point on the easterly right-of-way line of the New York Central Terminal Railroad going in a northwesterly direction;

Thence northwesterly along the northeasterly right-of-way line of the New York Central Terminal Railroad a distance of 1600 feet, more or less, to a point, on a line being at right angles to the West Shore Railroad right-of-way line, said northeasterly right-of-way line of the New York Central Terminal Railroad, being a part of the boundary line of Sanitary Sewer District No. 7;

Thence northerly on said line at right angles to the West Shore Railroad right-of-way line a distance of 223.88 feet, more or less, to a point on the northwesterly right-of-way line of the West Shore Railroad;

Thence southwesterly along last said line to a point on the west line of Farm Lot 78, Township 11, Range 7, said northwesterly right-of-way line of the West Shore Railroad being a boundary line of Sanitary Sewer District No. 7,

Thence southerly along the west line of Farm Lots 78 and 74, Township 11, Range 7, to a point on the north line of the Village of Depew, said west line of Farm Lots 78 and 74 being the east line of Sanitary Sewer District No. 7;

Thence easterly along the north line of the Village of Depew to the point and place of beginning.

Said resolution is subject to a permissive referendum under the provisions of Article 7 of the Town Law of New York, and petitions protesting against said resolution requesting a referendum thereon as provided in Article 12-A of the Town Law may be filed with the Town Clerk at any time within 30 days after the date of the adoption of said resolution.

By Order of the Town Board of the Town of Cheektowaga.

Dated: February 5th, 1962

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

**SS.:**

**RICHARD G. BENNETT**

**PUBLISHER**

**of the**

**Depew Cheektowaga**  
**Herald and News**

and that not more than six days intervene  
between any two publications thereof.

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

- 1- Town Hall Bulletin Board, Broadway & Union Road;
- 2- U-Crest Fire Hall, Evergreen Street and Clover Place;
- 3- Post Office Building, Airport Plaza, Union Road;
- 4- Bellevue Fire Hall, Como Park Blvd.,
- 5- Rescue Fire Hall, Pine Ridge Road.

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

## NOTICE OF ADOPTION

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, in the County of Erie, State of New York, after holding a hearing on a map, plan and report providing for the extension of Sewer District No. 7 in said Town, and the construction therein of sewer lines and the appurtenances necessary for their operation, pursuant to Article 12-A of the Town Law, has adopted on the 5th day of February, 1962, a resolution which (1) determines that the notice of said hearing was duly published and posted as required by law and is otherwise sufficient, and that all property and property owners within said proposed extension of Sewer District No. 7 are benefited by the proposed extension of said Sewer District and by the making of the improvements in accordance with said map, plan and report, and that all property and property owners benefited thereby are included within the limits of said proposed extension of said Sewer District, and that the extension of said Sewer District is in the public interest, and (2) approves the extension of said Sewer District and the construction of the improvements provided for in said map, plan and report. The resolution provides that the proposed extension of Sewer District No. 7 shall contain the following territory:

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Cheektowaga, County of Erie, and State of New York, bounded and described as follows:

Beginning at the point of intersection of the northerly line of the Village of Depew, and the easterly right-of-way line of the New York Central Terminal Railroad;

Thence northerly along the easterly right-of-way line of the New York Central Terminal Railroad a distance of 2380 feet, more or less, to a point on a line being at right angles to the easterly right-of-way line of the New York Central Terminal Railroad;

Thence westerly on said line a distance of 80 feet, more or less, to a point on the westerly right-of-way line of the New York Central Terminal Railroad going in a northeasterly direction, said point also being a point on the easterly right-of-way line of the New York Central Terminal Railroad going in a northwesterly direction;

Thence northwesterly along the northeasterly right-of-way line of the New York Central Terminal Railroad a distance of 1600 feet, more or less, to a point, on a line being at right angles to the West Shore Railroad right-of-way line, said northeasterly right-of-way line of the New York Central Terminal Railroad, being a part of the boundary line of Sanitary Sewer District No. 7;

Thence northerly on said line at right angles to the West Shore Railroad right-of-way line a distance of 223.88 feet, more or less, to a point on the northwesterly right-of-way line of the West Shore Railroad;

Thence southwesterly along said line to a point on the west line of Farm Lot 78, Township 11, Range 7, said northwesterly right-of-way line of the West Shore Railroad being a boundary line of Sanitary Sewer District No. 7;

Thence southerly along the west line of Farm Lots 78 and 74, Township 11, Range 7, to a point on the north line of the Village of Depew, said west line of Farm Lots 78 and 74 being the east line of Sanitary Sewer District No. 7;

Thence easterly along the north line of the Village of Depew to the point and place of beginning.

Said resolution is subject to a permissive referendum under the provisions of Article 7 of the Town Law of New York, and petitions protesting against said resolution requesting a referendum thereon as provided in Article 12-A of the Town Law may be filed with the Town Clerk at any time within 30 days after the date of the adoption of said resolution.

By Order of the Town Board of the Town of Cheektowaga.  
Dated: February 5th, 1962

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

RICHARD G. BENNETT

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

WHEREAS, Nussbaumer, Clarkes and Velzy, engineers duly licensed by the State of New York, have, at the instance of the Town Board, prepared a map, plan and report providing for the extension of Sewer District No. 7, and said map, plan and report has been filed in the office of the Town Clerk, in accordance with Article 12-A of the Town Law, and said map, plan and report shows the sewer lines and the appurtenances necessary to be constructed within the extension of said Sewer District and the location of each, and

WHEREAS, said map, plan and report was duly filed in the office of the Town Clerk for public inspection on November 20, 1961, and has remained on file in said office, and

WHEREAS, the boundaries of said proposed extension of said District, as set forth in said map, plan and report, are as follows:

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Cheektowaga, County of Erie, and State of New York, bounded and described as follows:

Beginning at the point of intersection of the northerly line of the Village of Depew, and the easterly right-of-way line of the New York Central Terminal Railroad;

Thence northerly along the easterly right-of-way line of the New York Central Terminal Railroad a distance of 2380 feet, more or less, to a point on a line being at right angles to the easterly right-of-way line of the New York Central Terminal Railroad;

Thence westerly on said line a distance of 80 feet, more or less, to a point on the westerly right-of-way line of the New York Central Terminal Railroad going in a northeasterly direction, said point also being a point on the easterly right-of-way line of the New York Central Terminal Railroad going in a northwesterly direction;

Thence northwesterly along the northeasterly right-of-way line of the New York Central Terminal Railroad a distance of 1600 feet, more or less, to a point, on a line being at right angles to the West Shore Railroad right-of-way line, said northeasterly right-of-way line of the New York Central Terminal Railroad, being a part of the boundary line of Sanitary Sewer District No. 7;

Thence northerly on said line at right angles to the West Shore Railroad right-of-way line a distance of 223.88 feet, more or less, to a point on the northwesterly right-of-way line of the West Shore Railroad;

Thence southwesterly along last said line to a point on the west line of Farm Lot 78, Township 11, Range 7, said northwesterly right-of-way line of the West Shore Railroad being a boundary line of Sanitary Sewer District No. 71

Thence southerly along the west line of Farm Lots 78 and 74, Township 11, Range 7, to a point on the north line of the Village of Depew, said west line of Farm Lots 78 and 74 being the east line of Sanitary Sewer District No. 71

Thence easterly along the north line of the Village of Depew to the Point and place of beginning.

and

WHEREAS, the improvements proposed to be made in the extension of the district consist of sewer lines and the appurtenances suitable for their operation, and the maximum amount proposed to be

Item No. 6-Cont'd

expended therefore is \$73,000, which is to be raised by the issuance of bonds issued by the Town of Cheektowaga, and

WHEREAS, it is proposed that the cost of making said improvements shall be assessed by the Town Board in proportion as nearly as may be to the benefit which each lot or parcel of land within the proposed extension of said Sewer District will derive therefrom, and

WHEREAS, the Town Board, on November 20, 1961, duly adopted an order providing that the Town Board shall meet at the Town Hall, corner of Broadway and Union Road in said Town, on the 4th day of December, 1961, at 2:30 o'clock P.M., Eastern Standard Time, and hold a public hearing on the extension of said Sewer District, at which all persons interested in the subject thereof might be heard concerning the same, and the Town Board did meet at such time and place and held such hearing, and heard all persons interested in the subject thereof, and

WHEREAS, after holding such hearing, the evidence offered at such public hearing requires that the Town Board make the determinations hereinafter set forth; NOW, THEREFORE,

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

(1) It is hereby determined that (a) the notice of said hearing held on December 4, 1961 was published and posted as required by law and is otherwise sufficient, and (b) all of the property and property owners within the proposed extension of Sewer District No. 7 as the boundaries of the same are hereinabove set forth, are benefited by the extension of said District, and by the making of the improvements in accordance with said map, plan and report, and (c) all of the property and property owners benefited thereby are included within the limits of the proposed extension of Sewer District No. 7 as the boundaries of the same are hereinabove set forth, and (d) the extension of Sewer District No. 7 is in the public interest.

(2) The extension of Sewer District No. 7 with the boundaries hereinabove set forth, and the construction of the improvements set forth in said map, plan and report, are hereby approved.

(3) This resolution is subject to a permissive referendum in the manner provided in Article 7 of the Town Law of New York, and petitions requesting such a referendum may be filed with the Town Clerk at any time within thirty days after the adoption of this resolution.

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

Supervisor Holtz	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Kaczmarek	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -2-

1  
24

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

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

(1) There shall be issued pursuant to the Bond Resolution entitled "Bond Resolution, Dated December 18, 1961, Authorizing the Issuance of \$142,500 Serial Bonds and \$7,500 Capital Notes of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law, to Finance the improvement of Scajaquada Creek", adopted by the

Item No. 7-Cont'd

Town Board on December 18, 1961, two (2) Capital Notes of the Town of Cheektowaga, in the denominations of \$3,750 each.

(2) The Power to prescribe the terms, form and contents of said notes and to sell and deliver said notes, is hereby delegated to the Town Supervisor. The Town Supervisor is hereby directed to sign said notes, and the Town Clerk is hereby directed to affix to such notes the corporate seal of the Town of Cheektowaga, and to attest such seal.

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

Supervisor Holtz	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Kaczmarek	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -2-

Councilman Kornecki presented the following resolution and moved its adoption:

BOND ANTICIPATION NOTE RESOLUTION, DATED FEBRUARY 5, 1962, AUTHORIZING THE ISSUANCE OF \$142,500 BOND ANTICIPATION NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, IN ANTICIPATION OF THE SALE OF SERIAL BONDS AUTHORIZED TO FINANCE THE IMPROVEMENT OF SCAJAQUADA CREEK.

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

Section 1. The Town of Cheektowaga, in the County of Erie, shall issue its Bond Anticipation Notes of the aggregate principal amount of \$142,500, pursuant to the Local Finance Law of New York, in order to finance the specific purpose hereinafter described, in anticipation of the issuance of \$142,500 Serial Bonds authorized by the bond resolution entitled "Bond Resolution Dated December 18, 1961, Authorizing the Issuance of \$142,500 Serial Bonds and \$7,500 Capital Notes of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law, to Finance the Improvement of Scajaquada Creek", adopted by the Town Board on December 18, 1961.

Section 2. The specific purpose (hereinafter referred to as "purpose") to be financed by the issuance of such Serial Bonds and Capital Notes is the deepening, straightening, altering or otherwise improving Scajaquada Creek from Dick Road to Ledyard Road in the Village of Depew, in the Town of Cheektowaga, to prevent the same from overflowing and to enable such stream to carry off such additional water as may be brought to the same by other public improvements in the Town, including the acquisition of lands or rights in lands and the acquisition and installation of original equipment, machinery or apparatus needed therefor.

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 and (d) such notes are not issued in anticipation of bonds for an assessable improvement.

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 Town Supervisor. The Town 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 and to attest such seal.

Item No. 7 Cont'd

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

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

Supervisor Holtz	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Kaczmarek	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -2-

12  
26

Item No. 8 Moved by Councilman Wroblewski, seconded by Councilman Trojanoski, that the sub division map of lands on north side of Seton Road, located in Lot 26 T 11 R 7, Town of Cheektowaga, prepared by Nussbaumer Clark and Velzy, Engineers and Surveyors dated January 12, 1962, be approved and filed in the Office of the Board of Assessors.

AYES: -5-

ABSENT: -2-

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32  
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Item No. 9 Moved by Councilman Wroblewski, seconded by Councilman Kornecki, that the proposed sub division map of Bel Aire Estates Extension No. 2, lot 74 T 11 R 7, prepared by Nussbaumer Clarke and Velzy, dated 1-25-62 be approved as of 1-27-62.

AYES: -5-

ABSENT: -2-

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32  
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Item No. 10 Moved by Councilman Wroblewski, seconded by Councilman Kornecki, that this Town Board does Hereby approve the Attendance Rules for Employees of the Town of Cheektowaga as presented by Frank Stahl, Union Representative for Town Employees.

CARRIED: AYES: -5-

ABSENT: -2-

31

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

WHEREAS, the Consolidated Refuse and Garbage District of the Town of Cheektowaga, has found it necessary to obtain an area for the disposition of ashes and non-burnable refuse, and at certain time burnable refuse, and

WHEREAS, BEATRICE M. SCHULTZ, is the owner of an area on Indian Road, Suitable for such purposes and has indicated a willingness to enter into a lease agreement for such purposes.

NOW, THEREFOR,

BE IT RESOLVED, that the Supervisor be, and he hereby is authorized to execute an agreement on behalf of the Consolidated Refuse and Garbage District of the Town of Cheektowaga, in accordance with a lease agreement attached hereto and survey also attached hereto showing the area involved in the attached agreement.

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

Supervisor Holtz	Voting AYE
Councilman Kaczmarek	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Wroblewski	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -2-

Item No. 11 Cont'd

THIS AGREEMENT, Made this February 5th, 1962,

BETWEEN, BEATRICE M. SCHULTZ, residing at Buffalo 11, New York, hereinafter known as the Lessor, and the TOWN OF CHEEKTOWAGA, on behalf of the Consolidated Refuse and Garbage District of the Town of Cheektowaga, hereinafter known as the Lessee.

WITNESSETH: That the lessor has agreed to let and hereby doth let, and the said lessee has agreed to take and hereby doth take those certain premises situated in the Town of Cheektowaga, situated on the south side of Indian Road having a frontage thereon of 1,054.20 feet, and being 1,032.54 feet on the east, 999.84 feet on the south, and 777.23 feet on the west, in accordance with map attached hereto for the term of one year to commence on the first day of January, 1962, and to end on the first day of January 1963, at 8:00 o'clock in the forenoon. This Agreement automatically renews itself from year to year under the same terms and conditions unless prior written notice is given from one party to the other six (6) months in advance of any termination date. However, this Agreement may be terminated by the lessee at any time upon six (6) months written notice to the lessor. The Lessee agrees to pay to the lessor the annual rental Seven thousand five hundred dollars (\$7,500.00) in equal monthly payments of Six hundred Twenty-five dollars (\$625.00) on the first day of each and every month beginning January 1, 1962, upon presentation of a monthly voucher by the lessor for said rental. The lessee further agrees to reimburse the lessor for the covering of all burnable material disposed on said premises by the lessee, which burnable materials shall be covered by the lessor in accordance with any and all State Health Requirements, County Health Requirements, and Town Requirements, the payment for which covering shall be in accordance with prevailing rates established by the State of New York, and the County of Erie, in accordance with the type of machinery necessary for such purposes and approved by the Town Board, which payments shall also be made on a monthly basis, monthly thereafter upon the approval of the Town Highway Superintendent.

This area is hereby leased for the purpose of disposing on said area, ashes and non-burnable refuse originating in the Town of Cheektowaga, subject to the following terms and conditions:

1. In the event that the Town Board finds it impracticable for the lessee to dispose of refuse other-where, burnable refuse originating in the Town of Cheektowaga may be disposed on said area, providing that such deposit of burnable refuse and the manner in which said deposit is made shall comply with all laws, regulations and ordinances of any Governmental Agency having jurisdiction over the matter and not be in violation of the same.

2. The term of this agreement shall not extend beyond the time when the height of fill shall attain the elevation of the existing pavement surface on Indian Road adjacent to the demised premises. The drainage area in this property shall be kept free from all obstructions at all times.

3. The lessee shall hold harmless the lessor, her successors or assigns, from any and all damages or claims for damages arising out of, or in connection with the depositing of refuse by the lessee on said tract, and shall at its own expense defend any action brought against the lessor by reason of any action of the lessee arising out of or in connection with such depositing of refuse, providing however, that this clause and the lessee's liability hereunder shall not apply to claims for injuries occurring thirty (30) days after the date of delivery or notice in writing by the lessee to the lessor that it has actually ceased to deposit refuse on said tract, and that it had abandoned same for such and all other purposes.

It is further understood and agreed that no dumping or depositing of any material whatsoever on this tract shall be undertaken by anyone except by permission of the Town Board of the Town of Cheektowaga.

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

TOWN OF CHEEKTOWAGA, NEW YORK

By Benedict T. Holtz /S/  
Supervisor

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

On this \_\_\_\_\_, before me, the subscriber. personally appeared BEATRICE M. SCHULTZ, residing at Cheektowaga, New York, to me Personally known and known to me to be the same person described in an who executed the within Instrument, and she acknowledge to me that she executed the same.

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

On this February 23, 1962, before me personally came BENEDICT T. HOLTZ, to me know, who being by me duly sworn, did depose and say that he resides in the Town of Cheektowaga, Erie County, New York; that he is the Supervisor of the said Town of Cheektowaga, the municipal corporation described in and which executed the foregoing instrument; that he knows the seal of said Corporation; that the seal affixed by order of the Town Board of the Town of Cheektowaga, and that he signed his name thereto by like order

Kenneth T. Hanley /S/ 33  
23  
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Item No. 12 Moved by Councilman Wroblewski, seconded by Councilman Kornecki, that the Town Clerk be authorized and directed to obtain permission from the Erie County Highway Superintendent for the Town of Cheektowaga to erect and maintain traffic signal lights at the following locations:

Harlem Road at the south entrance of the Thruway Plaza;  
Walden Avenue in front of F.N. Burt Company;

CARRIED: AYES: -5- ABSENT: -2- 9  
41  
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Item No. 13 The following resolution was offered by Councilman Wroblewski who moved its adoption, seconded by Councilman Trojanoski, to wit:

WHEREAS, R.J. PERFETTO CORPORATION has petitioned this Town Board to abandon a portion of Claude Drive, formerly known as Randolph Street, as hereinafter described, and

WHEREAS, said portion of said highway has not been open and worked as a highway within six (6) years from the time of dedication to the use of the public, if dedicated at all, and has never been opened and worked as a highway at any time, and

WHEREAS, R.J. PERFETTO CORPORATION is the sole owner of the land on said Claude Drive, formerly known as Randolph Street, which is sought to be closed, and

WHEREAS, the abandonment of the said portion of Claude Drive hereinafter described does not interfere in any way with the right of ingress and egress of any property owners owning property on any other portions of said Claude Drive.

Item No. 13-Contd

NOW, THEREFORE,

BE IT RESOLVED, that that portion of Claude Drive (formerly known as Randolph Street) bounded on the east line of Claude Drive (Randolph Street) as shown on Map Cover 868, which said line is also shown on Map Cover 2168; and bounded on the west by the east line of Claude Drive as shown on Map Cover 2168; bounded on the south by the north line of Hurd Street as shown on both Map Covers; and bounded on the north by the north line of Subdivision Lot Number One (1) as shown on Map Cover 2168 and the north line of Subdivision Lot number One Hundred and Sixty Five (165) as shown under Map Cover 868, both points being the same; be and the same is hereby abandoned as a highway in accordance with the provisions of the Highway Law of the State of New York and this Town Board does hereby consent that the Superintendent of Highways of the Town of Cheektowaga shall execute, file and record in the Town Clerk's Office a written description of said abandoned highway to be signed by him, the Town Supervisor, and a majority of this Board. The said resolution being put to a vote which resulted follows:

Supervisor Holtz	Voting AYE
Councilman Kaczmarek	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Trojanowski	Voting AYE
Councilman Kornecki	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -2-

THIS AGREEMENT, made this 5th day of February, 1962, by and between the Town of Cheektowaga, a municipal corporation organized and existing under the laws of the State of New York, with its office and principal place of business in the County of Erie, and State of New York, hereinafter referred to as the party of the first part, and R.J. PERFETTO CORPORATION, a corporation organized and existing under the laws of the State of New York, with its office and principal place of business at 79 Prospect Avenue, in the City of Buffalo, County of Erie and State of New York hereinafter referred to as the party of the second part.

WITNESSETH:

WHEREAS, the party of the second part, is the owner, in fee simple, of certain real property abutting both sides of Claude Drive (formerly Randolph Street), in the Town of Cheektowaga, which said premises are shown on certain maps filed in the Office of the Clerk of the County of Erie under Cover Numbers 263 and 2168, and

WHEREAS, the party of the second part is presently engaged in the construction of dwelling houses on the premises owned by it, as aforesaid, and is presently engaged in completion of the construction of a roadway in Claude Drive (formerly Randolph Street) commencing at the intersection of the said Claude Drive with Hurd Street extending in a northerly direction to the intersection of the said Claude Drive with William Street, as shown on Map Cover 2168; and

WHEREAS, that construction has been completed with the exception of applying the finished paving, and

WHEREAS, the party of the second part is now desirous to complete the improvement of the balance of Claude Drive by the erection of dwelling houses on either side of the said highway and by the construction of the balance of the said highway, and

WHEREAS, sanitary sewers have already been installed in the balance of the highway, and

WHEREAS, the party of the second part has entered into a contract with the ERIE COUNTY WATER AUTHORITY for the construction of a water line in the portion of the highway sought to be improved, and

Item No. 13-Cont'd

WHEREAS, the party of the second part has agreed to contract with the TOWN OF CHEEKTOWAGA to construct the said street so that the same will comply with the specifications of the Town Highway Department and all of the ordinances, rules, and regulations of said TOWN OF CHEEKTOWAGA, and

WHEREAS, the party of the second part is prepared to post and file with the TOWN OF CHEEKTOWAGA a bond, issued by a recognized surety company, conditioned for the satisfactory completion of the said highway by the party of the second part.

NOW THEREFORE, in consideration of the premises and the mutual covenants and promises hereinafter contained, it is covenanted and agreed as follows:

FIRST: That the party of the second part agrees to construct the said highway in Claude Drive commencing at the intersection of Claude Drive with Hurd Street and then extending in a northerly direction to the intersection of Claude Drive with William Street as the said highways are shown on a certain Map filed in the Office of the Clerk of the County of Erie under Map Cover Number 2168; and it further agrees where necessary to reconstruct the foundation of the said highway and complete the same so that the highway will conform in every respect with the specifications of the Town Highway Department and regulations of the TOWN OF CHEEKTOWAGA.

SECOND: That a completion and performance bond in the amount of \$6,000.00 will be posted and filed with the TOWN OF CHEEKTOWAGA, conditioned in such manner as provided for and determined by the Town Board of said Town.

THIRD: That the said highway will be completed on or about the 1st day of November, 1962.

FOURTH: That upon completion of the highway in accordance with the plans and specifications, the Town will accept the same and the party of the second part shall deliver a deed to the said highway.

FIFTH: That upon filing with the Town Board of the TOWN OF CHEEKTOWAGA AN executed copy of this agreement and upon the filing of a bond as required hereby, the said TOWN OF CHEEKTOWAGA does hereby accept the highway as a town highway subject to the jurisdiction of the Town Highway Superintendent.

SIXTH: The party of the second part further agrees that subsequent to the completion of the said highway and for a period of one year thereafter it will repair the highway to the extent of any damage attributable to faulty construction thereof.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals this 5th day of February, 1962.

TOWN OF CHEEKTOWAGA

By Benedict T. Holtz /S/

R.J. PERFETTO CORPORATION

By Arthur G. Baumeister /S/  
Secretary

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Item No. 14 Ordered referred to the Erie County Highway Superintendent communication from the New York State Thruway Authority relating to the cleaning of ice and snow from the following named bridges in the Town of Cheektowaga:

Cleveland Drive  
Maryvale Drive  
Genesee Street

Walden Avenue  
Geo. Urban Blvd. 8

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Item No. 15 Moved by Councilman Wroblewski, seconded by Councilman Kaczmarek, that the request of Arthur F. Musarra to change the name of the highway known as East-field Road to Sable Palm Drive, be granted.

CARRIED: AYES: -5- ABSENT: -2-

Item No. 16 Councilman Trojanoski presented the following resolutions and moved its adoption:

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

WHEREAS, the cost of the work and materials amounted to \$997.85.

BE IT RESOLVED, that the voucher of Straco, Inc. in the amount of \$997.85 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 Holtz	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Kaczmarek	Voting AYE

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

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

WHEREAS, emergency sewer repairs were required on Roycroft Boulevard and Alexander and Straley 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 \$540.61 (Roycroft) and \$388.40 (Straley & Alexander).

BE IT RESOLVED, that the voucher of Straco, Inc. in the amounts of \$540.61 and \$388.40 to do the work and furnish the materials be approved and ordered paid.

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

Supervisor Holtz	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Kaczmarek	Voting AYE

6  
24  
13

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

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

WHEREAS, a petition for the improvement of both sides of the public highway situate in Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 15th day of January, 1962.

PUBLIC HIGHWAYS  
TO BE IMPROVED  
Santin Drive from Geo. Urban Blvd. to Nadine Drive

Item No. 18-Cont'd

TYPE OF STREET LIGHTING  
INSTALLATION  
17 Y 19 Standards-Under Ground  
Conduit

WHEREAS, Edward B. Jerzewski, Andrew H. Schwenk, and Joseph Kistowski, 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 out-side 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 February 1962, at 7:30 P.M., to hear all persons interested in the subject thereof concerning the same, and

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

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

Supervisor Holtz	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Kaczmarek	Voting AYE
Councilman Trojanoski	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -2-

Posted as follows on the 8th day of February, 1962:

- 1- Post at the corner of Santin Drive and Nadine Drive;
- 2- Post in front of No. 57 Santin Drive;
- 3- Post in front of No. 79 Santin Drive;
- 4- Post in front of No. 99 Santin Drive;
- 5- Post in front of No. 107 Santin Drive.

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

(Affidavit on next Page)

17  
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STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

NOTICE OF HEARING

At a regular meeting of the

Team:  
HI 3—K. O'Brien, Sr., 628  
HI single—K. O'Brien, Sr., 231  
Individual:  
Don's Brass Rail 20  
Surplus Center 29  
Ray Schurz Optical 29  
Bright Spot Rest. 31  
Kriess Sign 37  
Sweet Kleen 44  
7 Up 47  
Mixed Couples  
HI 3—J. Spauld, 178  
HI 3—Sweet's Terrace, 368  
HI single—Sweet's Terrace, 881  
Knights of St. John 27  
Fuller Brush 27  
Kozel's Beauty Salon 30 1/2  
Jane Parker's 31 1/2  
Mauer & Biedenkopf 32  
Ted's Atlantic 33  
Burton Fence 33  
Koch's Beer & Ale 34 1/2  
Leonard Post Aux. 37 1/2  
Paso Construction 38  
La Plaza Village 38 1/2  
Ladies Owl Bowlers  
BROADWAY SPORTS CENTER  
HI 3—Team 1, 1806  
HI single—Team 1, 682  
Team:  
HI 3—M. Arua, 447  
HI single—G. Hess, 168  
Individual:

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a newspaper with general circulation in the Towns of  
Cheektowaga and Lancaster, and published at Depew,  
New York, that notice of which the annexed printed  
slip taken from said newspaper, is a copy, was in-  
serted and published therein once a week for  
week, the first insertion being on the 8th day  
of February, 1962, and the last inser-  
tion being on the day of

19 and that not more than six days intervened  
between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this day of

1962, 19

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

STATE OF NEW YORK  
COUNTY OF ERIE

SS.:

**NOTICE OF HEARING**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, in said Town of Cheektowaga, on the 5th day of February, 1962, at 2:30 o'clock p.m., Eastern Standard Time, there were:

**PRESENT:**  
Benedict T. Holtz, Supervisor  
Felix T. Wroblewski, Councilman  
Joseph Kornecki, Councilman  
Michael J. Kaczmarek, Councilman  
Joseph M. Trojanoski, Councilman

**ABSENT:**  
Stanley R. Bystrak, Councilman  
Alancin M. Fath, Councilman  
Councilman Kornecki presented the following resolution and moved its adoption:

WHEREAS, a petition for the improvement of both sides of the public highway situate in Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 15th day of January, 1962.

**PUBLIC HIGHWAYS  
TO BE IMPROVED**

Santin Drive from Geo. Urban Blvd., to Nadine Drive

**TYPE OF STREET LIGHTING  
INSTALLATION**

17 Y 19 Standards-Under Ground Conduit

WHEREAS, Edward B. Jerzewski, Andrew H. Schwenk, and Joseph Kistowski, 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 February 1962, at 7:30 p.m., to hear all persons interested in the subject thereof concerning the same, and

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

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

Voting Aye  
Councilman Kornecki, Voting Aye  
Councilman Kaczmarek,

Voting Aye  
Councilman Trojanoski,

Voting Aye  
AYES: 5; NOES: 0; ABSENT: 2

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

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 5th day of February 1962, and that the same is a correct and true transcript of such original resolution and the whole thereof.

IN WITNESS WHERE-  
OF, I have hereunto set  
my hand and affixed the  
seal of said Town this 5th  
day of February 1962.

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

RICHARD G. BENNETT

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

RESOLVED, that the application of A.W. Ricco to rezone from Second Industrial District to Airport District be granted.

No second on the motion.

The Chairman declared the motion lost.

19

Item No. 20 Councilman Kaczmarek offered the following resolution and moved its adoption:

BE IT RESOLVED, that there be established for the Town of Cheektowaga, a public library with branches, pursuant to Section 255 of the New York State Education Law.

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

CARRIED: AYES: -5- ABSENT: -2-

44

Item No. 21 Received and filed communication from the Walden District Tax Payers Association requesting that a member of their Association be appointed on the Library Board.

10  
44

Item No. 22 The Town Board went on record to appoint a Library Board in the next two weeks to a month.

34  
44

Item No. 23 Councilman Kornecki offered the following resolution and moved its adoption:

WHEREAS, Arthur Levitt, State Comptroller, has requested the attendance of Town Officials at a meeting to be held on February 7, 1962, at the Manger Hotel in Rochester, New York, to discuss the current laws governing public purchasing and conflict of interest; NOW, THEREFORE,

BE IT RESOLVED, that the Supervisor, Councilmen, Town Attorneys, Town Clerk, Receiver of Taxes and Assessments, and the Superintendent of Highways be and they hereby are authorized to attend the aforesaid meeting, their necessary expenses to be paid for by the Town.

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

CARRIED: AYES: -5- ABSENT: -2-

31  
42

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

WHEREAS, the Association of Towns of the State of New York will hold its annual meetings at Buffalo, New York, on February 14th, February 15th and February 16th, 1962;

NOW, THEREFORE,

BE IT RESOLVED, that the Special District Tax Clerk, Town Engineer, Historian, Chief of Police, Justices of the Peace, Zoning Board of Appeals, Supervisor, Councilmen, Town Attorneys, Town Clerk, Receiver of Taxes and Assessments, and Superintendent of Highways be and they hereby are authorized to attend the aforesaid meetings, their necessary expenses to be paid for by the Town.

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

CARRIED: AYES: -5- ABSENT: -2-

21  
42

Item No. 25 Councilman Kornecki offered the following resolution and moved its adoption:

WHEREAS, this Town Board has heretofore advertised for bids for the purchase of six (6) Police Department Automobiles, including trade-in of presently owned cars, all as provided for in the specifications prepared by the Chief of Police, and

WHEREAS, the only bid received was that of Clement Gillogly Chevrolet Inc., who offered to furnish six (6) 1962 automobiles in accordance with the said specifications, for a price of \$15,128.76, and allow a trade-in for Cars 1, 2, 3, 5, 6 and 7 of \$5,900.00, making a net price of \$9,228.76, and

WHEREAS, the Chief of Police has recommended the acceptance of said bid; NOW, THEREFORE,

BE IT RESOLVED, that the said bid of Clement Gillogly Chevrolet Inc. be and the same hereby is accepted, it being the only and lowest responsible bid.

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

CARRIED: AYES: -5-

ABSENT: -2-

Item No. 26 Councilman Trojanoski presented the following resolution and moved its adoption:

WHEREAS, many requests have been made for an ordinance in the Town of Cheektowaga to restrict parking of motor vehicles on privately owned premises or property without the consent and permission of the owner or lessee of such premises, and

WHEREAS, the Town Board deems it advisable to enact such legislation.

NOW, THEREFOR,

BE IT RESOLVED, that the following ordinance be considered for adoption.

RESOLVED: That the following ordinance, to be known as Local Ordinance #32 of the Ordinances of the Town of Cheektowaga, Erie County, New York, be adopted pursuant to the provisions of Section 130, of the Town Law of the State of New York, to be known as an Ordinance concerning "PARKING ON PREMISES OR PROPERTY OTHER THAN STREETS."

No person shall park, stand, store or leave a motor vehicle upon any publicly or privately owned premises or property, parking areas or parking lots, without the consent and permission of the owner or lessee of such premises.

To effectuate the prohibition on such premises as above described, a conspicuous sign or signs shall be posted at the entrances to such parking lots or parking areas informing the public as to the permitted conditions or parking thereon. A sign as hereinafter described shall be deemed substantial compliance with this section.

PARKING RESTRICTED  
( 6 inches)  
EXCEPT FOR (LIST PERSONS OR CONDITIONS PERMITTED ONLY)  
( 4 inches)  
ALL OTHERS KEEP OUT  
( 6 inches)  
UNDER PENALTY OF LAW  
CHAPTER XII TRAFFIC ORDINANCES  
OF THE TOWN OF CHEEKTOWAGA  
(2 inches)  
POLICE ENFORCEMENT

Item No. 26-Cont'd

Such signs shall be at least three feet high by four feet wide, with red lettering of a size not less than above indicated upon a white background. The words "police enforcement" and "under penalty of law" on such signs shall be construed, among other things to mean a request by the owner or lessee that the police or special patrolman shall enforce the provisions of this section against persons parking, standing, storing or leaving vehicle on such premises without the consent of the owner or lessee, and that the police are authorized to enter upon such premises to enforce the provisions of this ordinance. Such signs shall state the conditions of parking of the persons authorized by the owners or lessee to use said premises for parking or both; and persons not included within such authorization or violating the regulations and conditions set out on said signs shall be deemed to be using said premises unlawfully without the authority and consent of the owner or lessee.

This section may be enforced by the police of special patrolmen in the same manner as elsewhere provided for in the traffic ordinances of the Town of Cheektowaga for the enforcement of traffic or parking ordinances, including the use of tags, summonses, and any other procedures authorized by law.

Proof of ownership of a vehicle shall be presumptive evidence in an action for enforcement of this section that the owner parked or caused his vehicle to be parked on such premises.

On demand of the police, any owner or lessee requesting police enforcement of this ordinance shall furnish to the police a statement in writing, signed by him or his agent, to the effect that a specified vehicle was unlawfully parked, stored or left upon his premises at a certain time or during a certain period without his consent or permission, and such owner or lessee shall be available to testify to such facts in court at the request of the police.

Failure of an owner or lessee to comply with the request of the police as above set out shall be sufficient cause for the chief of police or his subordinates to cease enforcing this ordinance at the premises of such owner or lessee who fails to give the cooperation required herein.

The provisions of this ordinance shall not apply to any area of the Town within the Villages of Depew or Sloan.

This ordinance shall become effective ten (10) days after publication and posting as required by Law.

and be it further,

RESOLVED, that pursuant to Section 130, of the Town Law of the State of New York, this Town Board shall meet at the Town Hall, corner of Broadway and Union Road in the Town of Cheektowaga on the 19th day of February, 1962 at 7:30 o'clock P.M., Eastern Standard Time, for the purpose of considering the adoption of the foregoing ordinance, and the Town Clerk is hereby directed to publish the following notice in the Depew Herald and Cheektowaga News, and the Cheektowaga Times, newspapers published and having a general circulation in said Town, not less than ten (10) days prior to the date of such hearing:

NOTICE OF HEARING

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York, at a meeting to be held at the Town Hall, corner of Broadway and Union Road in said Town, at 7:30 o'clock P.M., Eastern Standard Time, on February 19, 1962, will hold a hearing on the matter of the adoption of an Ordinance "Restricting Parking on Premises Or Property Other Than Streets" for the Town of Cheektowaga, which ordinance would pertain to the entire Town of Cheektowaga, outside the Village of Depew and Sloan, pursuant to the provisions of Section

Item No. 26-Cont'd

130, of the Town Law, of the State of New York, and that all persons interested will be then and there heard concerning the same. Copies of proposed ordinance are on file in the Town Clerk's Office, Town of Cheektowaga.

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

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

Supervisor Holtz	Voting AYE
Councilman Kaczmarek	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Wroblewski	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -2-

Posted as follows on the 8th day of February, 1962:

- 1- Town Hall Bulletin Board;
- 2- Forks Fire Hall, Broadway and Union Road;
- 3- Post Office Building, Airport Plaza, Union Road;
- 4- U-Crest Fire Hall, Evergreen Street and Clover Place;
- 5- Doyle Fire Hall No. 1, William and Alaska Street.

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

(Affidavit on next Page)

40  
18

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

**NOTICE OF HEARING**

**Restricted Parking**

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York, at a meeting to be held at the Town Hall, corner of Broadway and Union Road in said Town, at 7:30 o'clock P.M., Eastern Standard Time, on February 19, 1962, will hold a hearing on the matter of the adoption of an Ordinance "Restricting Parking on Premises Or Property Other Than Streets" for the Town of Cheektowaga, which ordinance would pertain to the entire Town of Cheektowaga, outside the Villages of Depew and Sloan, pursuant to the provisions of Section 130, of the Town Law, of the State of New York, and that all persons interested will be then and there heard concerning the same. Copies of proposed ordinance are on file in the Town Clerk's Office, Town of Cheektowaga.

By Order of the Town Board of the Town of Cheektowaga, Erie County, New York.  
Dated: Feb. 8, 1962

KENNETH T. HANLEY

Town Clerk of the Town of Cheektowaga, Erie County, New York

f8

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a newspaper with general circulation in the Towns of Cheektowaga and Lancaster, and published at Depew, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 8th day of February, 1962, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

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

FEB 20 1962, 19\_\_\_\_

*Kenneth T. Hanley*

Notary Public in and for Erie County

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one week:  
first publication FEB - 8 1962  
last publication FEB - 8 1962  
and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

day of FEB 21 1962, 19.....

Eve J. Allis

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

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1963  
Registered No. 5029

**NOTICE OF HEARING**

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County New York, at a meeting to be held at the Town Hall, corner of Broadway and Union Road in said Town, at 7:30 o'clock p.m., Eastern Standard Time, on February 19, 1962, will hold a hearing on the matter of the adoption of an Ordinance "Restricting Parking on Premises Or Property Other Than Streets" for the Town of Cheektowaga, which ordinance would pertain to the entire Town of Cheektowaga, outside the Village of Depew and Sloan, pursuant to the provisions of Section 130, of the Town Law, of the State of New York, and that all persons interested will be then and there heard concerning the same. Copies of proposed ordinance are on file in the Town Clerk's Office, Town of Cheektowaga.

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

Dated: Feb. 5, 1962.

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

(Pub: Feb. 8)

Item No. 27 Councilman Kornecki presented the following resolution and moved its adoption:

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

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

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

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

CARRIED: AYES: -5-

ABSENT: -2-

8  
15  
16

Item No. 28 Moved by Councilman Wroblewski, seconded by Councilman Trojanoski, that the Town Clerk be authorized and directed to issue building permits on applications approved by the Building Inspector in his communication dated February 5, 1962.

15  
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CARRIED: AYES: -5-

ABSENT: -2-

Item No. 29 The following resolution was moved by Councilman Kornecki and seconded by Councilman Wroblewski:

That the following claims be approved as presented:

General Fund	Nos.	5627	to	5717	inclusive
	Nos.		to		inclusive
Highway Fund	Nos.	1607	to	1641	inclusive
	Nos.		to		inclusive
Special Districts	Nos.	2099	to	2157	inclusive
Part Town Fund	Nos.	645	to	654	inclusive
C & I	Nos.	335	to	336	inclusive
Tax	Nos.				
Health	Nos.				

6

AYES: -5-

NOES: -0-

ABSENT: -2-

Item No. 30 Ordered received the Annual report for the year 1961 of the Town Historian.

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42

Item No. 31 Moved by Councilman Bystrak, seconded by Councilman Wroblewski, to adjourn.

SEAL

KENNETH T. HANLEY  
Town Clerk

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, on the 19th day of February, 1962, at 7:30 p.m., Eastern Standard time, there were:

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

ABSENT: -0-

Also present were: Town Clerk Hanley; Town Attorney Kitzinger; General Foreman Banko; Town Engineer Kamm; Deputy Town Attorney Delahunt and Town Historian Julia B. Reinstein.

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

Item No. 3 Ordered referred to the Highway Superintendent petition for the abandonment of certain highways as submitted by Arthur F. Musarra. 13

Item No. 4 Ordered referred to the Town Board the petition presented as being on record as opposed to the application of A.W. Riccio to rezone premises from Second Industrial to Airport Zone. 17  
19

Item No. 5 Ordered referred to the Town Attorney communication from the Town Highway Superintendent requesting that the Town Board accept the following highways as Town Highways:

Azalea Drive  
Industrial Parkway  
Boxwood Lane 13

Item No. 6 Moved by Councilman Wroblewski, seconded by Councilman Kornecki, that the Chief of Police be authorized and directed to install the following signs:

(1) Highview Road - "No Parking During School Hours, 8 a.m. to 4 p.m.". The east and west sides of Highview Road from Cleveland Drive to a point 300 feet south of Cleveland Drive.

(2) Reo Street "Load and Unload Only", on the east side of Reo Street from Walden Avenue to a point 100 feet north of Walden Avenue.

(3) Floral Place - "No Parking Here to Corner" and "Load and Unload Only", on the north side of Floral Place from Union Road west to a point 100 feet west of Union Road. 18  
41  
13

CARRIED: AYES: -7-

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

Whereas, the Cheektowaga Town Board has deemed it advisable to hold a public hearing to revise and amend Section 2, Subdivision B, Paragraph 2, of the Zoning Ordinance of the Town of Cheektowaga, which now reads as follows:

"It shall be unlawful for any person, firm, or corporation, to use property located within a residential district for the purpose of parking more than two vehicles used for commercial purposes; and, in no event shall any more than one commercial vehicle be stored or

Item No. 7-Cont'd parked on the outside of any premises located within a residential district or on any abutting public highway."

It being the intention to add the following sentence to the above described paragraph.

"Notwithstanding the foregoing provisions of this paragraph, it shall be unlawful for any person, firm, or corporation to use vacant property located within a residential district, for the purpose of storing or parking any vehicle, commercial or otherwise, unless the owner of the vacant property also owns as adjacent residence."

NOW, THEREFOR,

BE IT RESOLVED, that pursuant to Section 130, of the Town Law of the State of New York, this Town Board shall meet at the Town Hall, corner of Broadway and Union Road in the Town of Cheektowaga on the 5th day of March, 1962 at 2:30 o'clock P.M., Eastern Standard Time, for the purpose of considering the amendment of Section 2, Subdivision B, Paragraph 2, of the Zoning Ordinance of the Town of Cheektowaga, and the Town Clerk is hereby directed to publish the following notice in the Depew Herald and Cheektowaga News, and the Cheektowaga Times, newspapers, published and having a general circulation in said Town, not less than ten (10) days prior to the date of such hearings:

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

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

AYES: -7-

NOES: -0-

ABSENT: -0-

#### NOTICE OF HEARING

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York, at a meeting to be held at the Town Hall, corner of Broadway and Union Road in said Town at 2:30 o'clock P.M., Eastern Standard Time, on March 5, 1962, will hold a hearing on the amendment and revision of Section 2, Subdivision B, Paragraph 2, of the Zoning Ordinance of the Town of Cheektowaga by adding the following paragraph thereto:

"Notwithstanding the foregoing provisions of this paragraph, it shall be unlawful for any person, firm, or corporation to use vacant property located within a residential district, for the purpose of storing or parking any vehicle, commercial or otherwise, unless the owner of the vacant property also owns an adjacent residence."

which amendment would pertain to the entire Town of Cheektowaga, outside of the Villages of Depew and Sloan, pursuant to the provisions of Section 130, of the Town Law, of the State of New York, and that all persons interested will be then and there heard concerning the same.

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

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

Dated: February 19, 1962

Item No. 7-Cont'd

Posted as follows on the 23rd day of February, 1962;

- 1- Town Hall Bulletin Board;
- 2- Forks Fire Hall, Broadway & Union Road;
- 3- U-Crest Fire Hall, Broadway and Union Road;
- 4- Rescue Fire Hall, Pine Ridge Road;
- 5- Doyle Fire Hall No. 1, William and Alaska Street.

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

(Affidavit on next Page)

40

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

**NOTICE OF HEARING  
AMEND ZONING ORDINANCE**

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York, at a meeting to be held at the Town Hall, corner of Broadway and Union Road in said Town at 2:30 o'clock P.M., Eastern Standard Time, on March 5, 1962, will hold a hearing on the amendment and revision of Section 2, Subdivision B, Paragraph 2, of the Zoning Ordinance of the Town of Cheektowaga by adding the following paragraph thereto:

"Notwithstanding the foregoing provisions of this paragraph, it shall be unlawful for any person, firm, or corporation to use vacant property located within a residential district, for the purpose of storing or parking any vehicle, commercial or otherwise, unless the owner of the vacant property also owns an adjacent residence."

which amendment would pertain to the entire Town of Cheektowaga, outside of the Villages of Depew and Sloan, pursuant to the provisions of Section 130, of the Town Law, of the State of New York, and that all persons interested will be then and there heard concerning the same.

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

Dated: February 19, 1962

KENNETH T. HANLEY

Town Clerk of the Town of Cheektowaga, Erie County,

f22 New York.

STATE OF NEW YORK }  
COUNTY OF ERIE } ss.  
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 one week: first publication FEB 22 1962; last publication FEB 22 1962; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of MAR - 7 1962, 19.....

*Eve J. Allis*

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

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1963  
Registered No. 5029

Item No. 7-Cont'd

Posted as follows on the 23rd day of February, 1962:

- 1- Town Hall Bulletin Board;
- 2- Forks Fire Hall, Broadway & Union Road;
- 3- U-Crest Fire Hall, Broadway and Union Road;
- 4- Rescue Fire Hall, Pine Ridge Road;
- 5- Doyle Fire Hall No. 1, William and Alaska Street.

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

(Continued on next Page)

40

**TOWN NOTICE** That the Town Board of the Town of Cheektowaga, Erie County, N. Y., at a meeting to be held at the Town Hall, corner of Broadway and Union Road in said Town at 2:30 o'clock p.m., Eastern Standard Time, on March 5, 1962, will hold a hearing on the amendment and revision of Section 2, Subdivision B. Paragraph 2, of the Zoning Ordinance of the Town of Cheektowaga by adding the following paragraph thereto:

"Notwithstanding the foregoing provisions of this paragraph, it shall be unlawful for any person, firm, or corporation to use vacant property located within a residential district, for the purpose of storing or parking any vehicle, commercial or otherwise, unless the owner of the vacant property also owns an adjacent residence."

which amendment would pertain to the entire Town of Cheektowaga, outside of the Villages of Depew and Sloan, pursuant to the provisions of Section 130, of the Town Law, of the State of New York, and that all persons interested will be then and there heard concerning the same.

By order of the Town Board of the Town of Cheektowaga, Erie County, New York.  
Dated: Feb. 19, 1962

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

Pub. Feb. 22, 1962

the

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

<sup>Depew</sup> **Herald and News** <sup>Cheektowaga</sup>

a newspaper with general circulation in the Towns of Cheektowaga and Lancaster, and published at Depew, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 22nd day of February, 1962, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

Richard G. Bennett

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

FEB 24 1962

, 19\_\_\_\_

Kenneth Hanley

Notary Public in and for Erie County

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

WHEREAS, United German and French Roman Catholic Cemetery Association has filed a petition with the Town Board requesting the use of the following described premises in Cheektowaga, New York for cemetery purposes:

ALL THAT TRACT OR PARCEL OF LAND, together with the improvements thereon, situated in the Town of Cheektowaga, County of Erie and State of New York, briefly described as follows: being part of lot No. Thirty-five (35) in the Eleventh (11th) Township and Seventh (7th) Range, according to the Holland Land Company's survey and described as follows:

Beginning at a point in the south line of Maryvale Road (formerly Pine Ridge Road) as laid out as a sixty-six (66) foot highway, seven hundred thirty-nine and 52/100 (739.52) feet westerly of the intersection of said south line of Maryvale Road with its intersection with the east line of said Lot no. 35, being also the west line of Harlem Road as laid out as a sixty-six foot highway; thence westerly along said south line of Maryvale Road one hundred (100) feet to lands known as the "Jewish Cemetery"; thence southerly parallel to east line of said Lot No. 35 and along the east line of said "Jewish Cemetery" about two hundred eighteen and Thirty-eight hundredths (218.38) feet to a point therein thirty (30) feet north of north line of lands known as the "Polish Cemetery"; thence easterly and parallel to the north line of said Lot No. 35, one hundred (100) feet; thence northerly and parallel to east line of said Lot No. 35 about two hundred eighteen and sixty-one hundredths (218.61) feet to the place of beginning.

Together with all right, title and interest of the parties of the first part in that portion of Maryvale Road in front of and between the east and west lines of said premises as extended.

ALSO, THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, and being part of Lot No. 35 in the 11th Township and 7th Range according to the Holland Land Company's survey described as follows:

Beginning at a point in the south line of Maryvale Road (formerly Pine Ridge Road) as laid out as a 66 foot highway, two hundred fifty (250) feet westerly of the intersection of said south line of Maryvale Road with the east line of said Lot no. 35 being also the west line of Harlem Road as laid out as a 66 foot highway; running thence westerly along said south line of Maryvale Road, four hundred eight-nine and fifty-two one hundredths (489.52) feet to a point therein; running thence southerly on a line parallel to the east line of said Lot No. 35 about two hundred eighteen and sixty-one one hundredths (218.61) feet to a point therein thirty (30) feet north line of lands known as the "Polish Cemetery"; running thence westerly and parallel to the north line of said Lot No. 35, one hundred (100) feet to lands known as the "Jewish Cemetery"; running thence southerly and parallel to said east line of Lot No. 35 and along the east line of said "Jewish Cemetery"; thirty (30) feet to the lands known as the "Polish Cemetery"; running thence easterly and parallel to the north line of said Lot No. 35 and along the north line of lands of the "Polish Cemetery", five hundred eight-nine and fifty-two one hundredths (589.52) feet to a point in said line; running thence northerly and parallel to the said west line of Harlem Road two hundred forty-nine and seventy-seven hundredths (249.77) feet to the place of beginning, and

WHEREAS, the Cheektowaga Board of Assessors have submitted their findings to the effect that 83% of the property owners within a 1,000 foot radius have signed said petition.

NOW, THEREFOR, pursuant to Section 27 of the Zoning Ordinance of the Town of Cheektowaga,

BE IT RESOLVED, that the Cheektowaga Town Board shall meet at the Town Hall, corner of Broadway and Union Road in the Town of Cheektowaga on the 5th day of March, 1962 at 2:30 o'clock P.M., Eastern

Item No. 8-Cont'd

Standard Time, for the purpose of considering the adoption of a consent to use the above described premises for cemetery purposes, and the Town Clerk is hereby directed to publish the following notice in the Cheektowaga Times, a Newspaper published and having a general circulation in said Town, not less than ten (10) days prior to the date of such hearings:

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

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

AYES: -7-

NOES: -0-

ABSENT: -0-

NOTICE OF HEARING

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York, at a meeting to be held at the Town Hall, corner of Broadway and Union Road in said Town at 2:30 o'clock P.M., Eastern Standard Time, on March 5, 1962, will hold a hearing on the matter of the adoption to consider the approval of the use of the attached described premises for cemetery purposes, pursuant to the provisions of Section 27 of the Zoning Ordinance of the Town of Cheektowaga, at which hearing all persons interested will be then and there concerning the same.

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

Dated: February 19, 1962.

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

Posted as follows on the 23rd day of February, 1962:

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

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

(Affidavit on Next Page)

17  
32  
40

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one week:  
first publication FEB 22 1962:  
last publication FEB 22 1962:  
and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

day of MAR - 7 1962 19.....

Eve J. Allis

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

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1963  
Registered No. 5029

of the inspection probably will  
be known by early spring.

**TAKE NOTICE** that the Town Board of the Town of Cheektowaga, Erie County, New York, at a meeting to be held at the Town Hall, corner of Broadway and Union Road in said Town at 2:30 o'clock P.M., Eastern Standard Time, on March 5, 1962, will hold a hearing on the matter of the adoption to consider the approval of the use of the attached described premises for cemetery purposes, pursuant to the provisions of Section 27 of the Zoning Ordinance of the Town of Cheektowaga, at which hearing all persons interested will be then and there heard concerning the same.

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

Dated: February 19, 1962

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

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, in said Town of Cheektowaga, on the 19th day of February, 1962, at 7:30 o'clock P.M., Eastern Standard Time, there were

**PRESENT:**

BENEDICT T. HOLTZ Supervisor  
STANLEY R. BYSTRAK Councilman  
ALAN C. M. FATH Councilman  
MICHAEL J. KACZMAREK Councilman  
JOSEPH KORNECKI Councilman  
JOSEPH M. TROJANOSKI Councilman  
FELIX T. WROBLEWSKI Councilman

**ABSENT: —0—**

Councilman Kaczmarek presented the following resolution and moved its adoption:

WHEREAS, United German and French Roman Catholic Cemetery Association has filed a petition with the Town Board requesting the use of the following described premises in Cheektowaga, New York, for cemetery purposes:

ALL THAT TRACT OR PARCEL OF LAND, together with the improvements thereon, situated in the Town of Cheektowaga, County of Erie and State of New York, briefly described as follows: being part of lot No. Thirty-five (35) in the Eleventh (11th) Township and Seventh (7th) Range, according to the Holland Land Company's survey and described as follows:

Beginning at a point in the south line of Maryvale Road (formerly Pine Ridge Road) as laid out as a sixty-six (66) foot highway, seven hundred thirty-nine and 52/100 (739.52) feet westerly of the intersection of said south line of Maryvale Road with its intersection with the east line of said Lot No. 35, being also the west line of Harlem Road as laid out as a sixty-six foot highway; thence westerly along said south line of Maryvale Road one hundred (100) feet to lands known as the "Jewish Cemetery"; thence southerly parallel to east line of said Lot No. 35 and along the east line of said "Jewish Cemetery" about two hundred eighteen and thirty-eight hundredths (218.38) feet to a point therein thirty (30) feet north of north line of lands known as the "Polish Cemetery"; thence easterly and parallel to the north line of said Lot No. 35, one hundred (100) feet; thence northerly and parallel to east line of said Lot No. 35 about two hundred eighteen and sixty-one hundredths (218.61) feet to the place of beginning.

Together with all right, title and interest of the parties of the first part in that portion of Maryvale Road in front of and between the east and west lines of said premises as extended.

being part of Lot No. 35 in the 11th Township and 7th Range according to the Holland Land Company's survey described as follows:

Beginning at a point in the south line of Maryvale Road (formerly Pine Ridge Road) as laid out as a 66-foot highway, two hundred fifty (250) feet westerly of the intersection of said south line of Maryvale Road with the east line of said Lot No. 35 being also the west line of Harlem Road as laid out as a 66-foot highway; running thence westerly along said south line of Maryvale Road

Beginning at a point in the south line of Maryvale Road (formerly Pine Ridge Road) as laid out as a 66-foot highway, two hundred fifty (250) feet westerly of the intersection of said south line of Maryvale Road with the east line of said Lot No. 35 being also the west line of Harlem Road as laid out as a 66-foot highway; running thence westerly along said south line of Maryvale Road, four hundred eighty-nine and fifty-two one hundredths (489.52) feet to a point therein; running thence southerly on a line parallel to the east line of said Lot No. 35 about two hundred eighteen and sixty-one one hundredths (218.61) feet to a point therein thirty (30) feet north of the north line of lands known as the "Polish Cemetery"; running thence westerly and parallel to the north line of said Lot No. 35, one hundred (100) feet to lands known as the "Jewish Cemetery"; running thence southerly and parallel to said east line of Lot No. 35 and along the east line of said "Jewish Cemetery"; thirty (30) feet to the lands known as the "Polish Cemetery"; running thence easterly and parallel to the north line of said Lot No. 35 and along the north line of lands of the "Polish Cemetery"; five hundred eighty-nine and fifty-two one hundredths (589.52) feet to a point in said line; running thence northerly and parallel to the said west line of Harlem Road two hundred forty-nine and seventy-seven hundredths (249.77) feet to the place of beginning, and

WHEREAS, the Cheektowaga Board of Assessors have submitted their findings to the effect that 83% of the property owners within a 1,000 foot radius have signed said petition.

NOW, THEREFORE, pursuant to Section 27 of the Zoning Ordinance of the Town of Cheektowaga,

BE IT RESOLVED, that the

o'clock P.M., Eastern Standard Time, for the purpose of considering the adoption of a consent to use the above described premises for cemetery purposes, and the Town Clerk is hereby directed to publish the following notice in the Cheektowaga TIMES, a Newspaper published and having a general circulation in said Town, not less than ten (10) days prior to the date of such hearings.

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

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

Ayes: 7 Noes: 0 Absent: 0  
STATE OF NEW YORK )  
ERIE COUNTY )  
OFFICE OF THE CLERK ) ss:  
OF THE TOWN OF )  
CHEEKTOWAGA )

This is to certify that I, Kenneth T. Hanley, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie on the 19th day of February, 1962, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 19th day of February, 1962.

(SEAL)

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

(Pub: Feb. 22)

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

WHEREAS, many dangerous situations have been created by the leakage of gasoline and other flammable liquids from underground storage tanks, and

WHEREAS, THE Cheektowaga Town Board has carefully studied this matter and is of the opinion that local legislation is necessary to protect the health, safety and general welfare of the residents of the Town of Cheektowaga.

NOW, THEREFOR,

BE IT RESOLVED, that the following ordinance be considered for adoption:

RESOLVED: That the following ordinance, to be known as Ordinance #33, of the Ordinances of the Town of Cheektowaga, Erie County, New York, be adopted pursuant to the provisions of Section 130, of the Town Law of the State of New York.

1. TITLE This ordinance shall be known as the Under-ground Storage of Gasoline and Other Flammable Liquids Ordinance of the Town of Cheektowaga, Erie County, New York,

2. PURPOSE The purpose of this ordinance is to regulate the storage use and sale of gasoline and other flammable liquids from underground storage tanks and the installation and operation of such tanks and shall apply to all persons, firms or corporations using, storing or selling gasoline storage tanks.

3. REGULATIONS A daily inventory is to be maintained by every operator of underground gasoline storage tanks in the town of Cheektowaga. This inventory must show as accurately as possible the amount of gasoline in each tank at opening time and closing time of each day, as measured on a stick accurately calibrated in gallons, or a stick marked in inches, accompanied by a gauge chart for each tank.

The amount of gasoline extracted from each tank each day, as indicated by meter or money sales or otherwise, except by subtracting the measured result from the previously measured reading, is to be shown on each inventory. This daily inventory is to be kept and maintained on the premises where each and every underground gasoline storage tank is operated and is to be open for inspection by the designee of the Town Board at all times.

4. NEW INSTALLATIONS No installations of new underground storage tanks is to be undertaken without the prior approval of the Town Engineer and such construction is to be under the supervision of the Town Engineer.

5. TESTS (a) Before an installation of underground tanks is covered from sight, the installation shall be inspected and receive the approval of the Town Engineer. Before being approved all tanks and piping, both underground installations and tanks inside buildings, shall be tested in the presence of the Town Engineer. Tanks, fill pipes, vents, feed and return lines shall be tested pneumo-hydrostatically to five pounds pressure at the top of the tank. Suction lines on system to be used in connection with flammable liquids having a flash point under 100 degrees F. shall be tested at fifty pounds pressure between the foot valve in the tank and the pump. The fill pipe and the vent lines shall remain open during the test of the suction line. Installations designed as pressure systems shall be tested to two times the maximum working pressure. Tests shall continue for sixty minutes without a noticeable drop in pressure or all joints shall be checked for leaks with soap suds. Pressure gauges used in connection with such tests shall have one-half pound graduations. All tests shall be provided by the owner, or persons in control of the equipment under the supervision of a person or persons having had at least five years experience conducting such tests.

Item No. 9-Cont'd

(b) The Health Officer may require tests, from time to time, on any installation when he shall have reason to believe the tank or its piping is defective. The following procedure is set forth for the testing of underground storage tanks;

(1) The entire underground system including tanks and piping shall be filled with the product to within six inches of yard grade. During filling operation all stick line caps may be removed to observe product in stick line. (2) Completely seal the entire system by disconnecting hoses from all pumps connected to the system and install plugs in all hose connections; Disconnect the air bleeder line from air eliminator and install plugs on all pumps connected to the system; Install plugs in all but one guage line connected to the system; Install plug in fill line box; Remove vent caps on vent lines and install pipe caps. (3) Install pressure gauge and valve on the stick line not previously plugged. Pressure gauge calibrated from zero (0) to fifteen pounds (15) with a face at least four inches in diameter is required. (4) Introduce air to the system, at this stick line as required, until a minimum of five pounds and a maximum of ten pounds gauge pressure has been attained. (5) Close valve, disconnect air line and install plug in valve. (6) The Test shall be considered satisfactory provided there is no evidence of pressure dropping on the gauge after a period of thirty minutes.

6. PERMITS (a) No person shall install or replace an underground gasoline storage tank without obtaining a permit from the Town Clerk. The application shall be made in writing in duplicate to the Town Clerk and shall state the size, of the tank and the capacity in gallons. Plans and specifications in duplicate shall be furnished with each application showing the location of each tank on the property with respect to property lines and streets, method of installation and location of pipe and ventilation. (b) Before any permit for construction or replacement of underground storage tanks may be issued, the Town Engineer shall note his approval on the application therefor, (c) The fee for a permit for the construction or replacement of underground tank for the storage of gasoline shall be \$25.00. (d) An annual permit fee of \$5.00 for each underground gasoline tank for each calendar year, shall be paid to the Town Clerk on, or before, January 15th of each calendar year.

7. INSPECTION The Health Officer of the Town of Cheektowaga, on proper cause, is hereby vested with the authority to enter onto the premises where any underground gasoline storage tank is located in order to search for leaks. The underground storage of gasoline shall be so conducted as to prevent the escape of gasoline, or the vapors thereof, onto any public sub-surface sewer, drain, manhole, or other underground tunnel, pipe shaft, or conduit, or natural waterway or to the surround soil or earth or any other porous or absorbant material. Should there be evidence of the escape of gasoline, or the vapors thereof, as above described, the Health Officer may order gauge measures such as sumps or interceptors, as he deems necessary; or where corrective measures are not effective, he may order the disconveyance of the operation or practice which, in his opinion, is responsible for the condition.

8. PENALTY FOR VIOLATIONS Any person, firm or corporation who shall violate any of the provisions of this ordinance shall be guilty of an offense, and upon conviction thereof, may be punished by a fine of not more than \$10.00 for the first offense, and by a fine of not more than \$25.00 for each subsequent offense. Each day that a violation of this ordinance is continued or permitted to exist shall constitute a separate offense punishable upon conviction in the manner prescribed in this section. A conviction for a violation hereof shall not preclude the revocation or suspension of a license or permit issued hereto.

9. ORDINANCE NOT APPLICABLE TO VILLAGES OF DEPEW OR SLOAN The provisions of this ordinance shall not apply to any area of the Town within the Villages of Depew or Sloan.

10. EFFECTIVE DATE This ordinance shall take effect

Item No. 9 Cont'd

immediately.  
and be it further,

RESOLVED, that pursuant to Section 130, of the Town Law of the State of New York, this Town Board shall meet at the Town Hall, corner of Broadway and Union Road in the Town of Cheektowaga on the 5th day of March, 1962 at 2:30 o'clock P.M., Eastern Standard Time, for the purpose of considering the adoption of the foregoing ordinance, and the Town Clerk is hereby directed to publish the following notice in the Depew Herald and Cheektowaga News, and the Cheektowaga Times, newspapers published and having a general circulation in said Town, not less than ten (10) days prior to the date of such hearings:

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

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

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

NOTICE OF HEARING

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York, at a meeting to be held at the Town Hall, corner of Broadway and Union Road in said Town at 2:30 o'clock P.M., Eastern Standard Time, on March 5, 1962, will hold a hearing on the matter of the adoption of an underground gasoline and other flammable liquids ordinance for the Town of Cheektowaga, which said ordinance would make it an offense for any person, firm or corporation to store gasoline and other flammable liquids underground in violation of the various provisions of the ordinance, including inventories, permits, tests, and the other provisions of such ordinance, copies of which are on file in the Town Clerk's Office of the Town of Cheektowaga, which ordinance would pertain to the entire Town of Cheektowaga, outside the Village of Depew and Sloan, pursuant to the provisions of Section 130, of the Town Law, of the State of New York, and that all persons interested will be then and there be heard concerning the same.

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

Dated: February 19, 1962

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

Posted as follows on the 23rd day of February, 1962:

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

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

(Affidavit on Next Page)

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3-

STATE OF NEW YORK  
COUNTY OF ERIE

SS.:

**NOTICE OF HEARING**

**Flammable Liquids Ordinance**

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York, at a meeting to be held at the Town Hall, corner of Broadway and Union Road in said Town at 2:30 o'clock P.M., Eastern Standard Time, on March 5, 1962, will hold a hearing on the matter of the adoption of an underground gasoline and other flammable liquids ordinance for the Town of Cheektowaga, which said ordinance would make it an offense for any person, firm or corporation to store gasoline and other flammable liquids underground in violation of the various provisions of the ordinance, including inventories, permits, tests, and the other provisions of such ordinance, copies of which are on file in the Town Clerk's Office of Cheektowaga, which would pertain to the entire Town of Cheektowaga, out of the Village of Depew and pursuant to the provisions of Section 130, of the Town Law, State of New York, and persons interested will be there heard concerning the same.

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

Dated: February 19, 1962

KENNETH T. HANLEY

Town Clerk of the Town of Cheektowaga, Erie County,

f22 New York.

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one week:  
first publication FEB 22 1962  
last publication FEB 22 1962  
and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of MAR - 7 1962, 19.....

*Eve J. Allis*

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

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1963  
Registered No. 5029

**TAKES NOTICE** that the Town Board of the Town of Cheektowaga, Erie County, New York, at a meeting to be held at the Town Hall, corner of Broadway and Union Road in said Town at 2:30 o'clock p.m., Eastern Standard Time, on March 5( 1962, will hold a hearing on the matter of the adoption of an underground gasoline and other flammable liquids ordinance for the Town of Cheektowaga, which said ordinance would make it an offense for any person, firm or corporation to store gasoline and other flammable liquids underground in violation of the various provisions of the ordinance, including inventories, permits, tests, and the other provisions of such ordinance, copies of which are on file in the Town Clerk's Office of the Town of Cheektowaga, which ordinance would pertain to the entire Town of Cheektowaga, outside the Villages of Depew and Sloan, pursuant to the provisions of Section 130, of the Town Law, of the State of New York, and that all persons interested will be then and there heard concerning the same.

Dated: Feb. 19, 1962

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

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

(Pub: Feb. 22)

LUBN

RICHARD G. BENNETT

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

<sup>Depew</sup>  
**Herald and News** <sup>Cheektowaga</sup>

a newspaper with general circulation in the Towns of Cheektowaga and Lancaster, and published at Depew, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 22nd day of February, 1962, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

Richard G. Bennett

Sworn to before me this \_\_\_\_\_ day of  
FEB 24 1962, 19\_\_\_\_

Wm. H. Hanley  
Notary Public in and for Erie County

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

WHEREAS, emergency sewer repairs were required on 4528 Union 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 \$614.17.

BE IT RESOLVED, that the voucher of Straco, Inc. in the amount of \$614.17 to do the work and furnish the materials be approved and ordered paid.

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

Supervisor Holtz	VOTING AYE
Councilman Wroblewski	VOTING AYE
Councilman Bystrak	VOTING AYE
Councilman Trojanoski	VOTING AYE
Councilman Fath,	VOTING AYE
Councilman Kornecki	VOTING AYE
Councilman Kaczmarek	VOTING AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

6  
24  
13

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

WHEREAS, emergency sewer repairs were required on 1218 George Urban Boulevard in Sanitary Sewer District No. 7 which repairs were ordered by the Town Engineer, and

WHEREAS, the cost of the work and materials amounted to \$822.64.

BE IT RESOLVED, that the voucher of Straco, Inc. in the amount of \$822.64 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 Holtz	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Fath	Voting Aye
Councilman Kornecki	Voting AYE
Councilman Kaczmarek	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

6  
24  
13

Item No. 12 Moved by Councilman Wroblewski, seconded by Councilman Bystrak, RESOLVED, that the Town Superintendent of Highways be and he hereby is authorized to hire on a rental basis, highway machinery from private owners as he may require, at the rental rates set by the State Department of Public works. 13

CARRIED: AYES -7-

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

RESOLVED, that the Supervisor be authorized and directed to purchase from the Westinghouse Electric Corporation Thirty (30) Column Rods with Nuts to be used in the erection of No. 1348 Street Lighting standards in several areas of the Town of Cheektowaga which have been damaged and which Rods are needed to return the lights to active service.

Item No. 13-Cont'd

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 Kaczmarek	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Bystrak	Voting AYE

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

Dated: February 19th, 1962

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

RESOLVED, that the Niagara Mohawk Power Corporation, be authorized to install a Y-19 type lamp standard in the Town Park specifically to replace pole knocked down by person or persons unknown, situated at #365 Ridge Park, and be it further

RESOLVED, that the Niagara Mohawk Power Corporation be authorized to install a Y-19 type lamp standard to replace pole No. 110 in George Urban Blvd. - specifically the first light standard west of Harlem, same to be glass type unit to be equipped with a 175 Watt Mercury Type lamp.

Seconded by Councilman Kornecki, 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 Kaczmarek	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Bystrak	Voting AYE

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

Dated February 19th, 1962.

Item No. 15 This being the time and place advertised for a public hearing on the proposed improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor, such proof was duly filed.

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
SANTIN DRIVE	GEO. URBAN BLVD.	NADINE DRIVE

TYPE OF STREET LIGHTING INSTALLATION

17 Y 19 standards-4000 lumen-under ground conduit

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

Item No. 15-Cont'd

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

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

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
Santin Drive	Geo. Urban Blvd.	Nadine Drive

TYPE OF STREET LIGHTING INSTALLATION

17 Y 19 standards-4000 lumen-under ground conduit and heard all persons interested in the subject thereof.

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

- (a) that such petition is signed and acknowledged as required by law and is otherwise sufficient, and
- (b) that is 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 that 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 lighting equipment made by the utility company supplying electrical service to the locality in which the said public highways are located, under such contracts as may be required to effectuate such installation and as approved by the said Town Attorney, and

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

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

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

AYES: -7-

NOES: -0-

ABSENT: -0-

Item No. 16 Moved by Councilman Bystrak, seconded by Councilman Wroblewski, that the Supervisor be authorized and directed to purchase from the Westinghouse Manufacturing Corporation 17 Y 19 street lighting standards to be used in Santin Drive Special Street lighting district.

CARRIED: AYES: -7-

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27  
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27

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

RESOLVED, that the following named persons be re-appointed to the Zoning Board of Appeals:

- Leo H. Kurnick, term to expire on 7-21-63
- Lawrence Januszczak, term to expire on 11-24-66
- Joseph Kubera, term to expire on 5-4-64
- Charles Hanson, term to expire on 7-19-65
- Peter Rybka, term to expire on 11-24-62

Seconded by Councilman Kaczmarek

Dated: 2-19-62 CARRIED: AYES: -7- NOES: -0- ABSENT: -0-

Item No. 18 COUNCILMAN WROBLEWSKI presented the following resolution and moved its adoption:

WHEREAS THE New York State Legislature, in present session, is considering the enactment into law of many bills, some of which could directly affect the Town of Cheektowaga, and

WHEREAS this Town Board is unaware of the exact contents of such proposed bills,

NOW THEREFORE BE IT RESOLVED that the Deputy Town Attorney be and he hereby is authorized and directed to go to Albany, New York, ascertain the nature and contents of any proposed legislation which might have a bearing on the Town of Cheektowaga, and to convey to area legislators and to proper State Departments any recommendations which the Town Board may direct, and

BE IT FURTHER RESOLVED that the reasonable expenses of such travel be paid by the Town of Cheektowaga.

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

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

CARRIED: AYES: -5- NAYES: -2- ABSENT: -0-

Item No. 19 Moved by Councilman Wroblewski, seconded by Councilman Bystrak, that the request of Henry R. Gabryszak, Police Dispatcher and Justice of the Peace Stenographer and Clerk, for a leave of absence for one year, be granted, effective as of February 24, 1962.

CARRIED: AYES: -7-

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

RESOLVED, that Dr. Samuel R. Bennett, Henry Marlin, Eugene Rudzinski, Leonard Zydel and Julia Boyer Reinstein, be and they hereby are appointed as trustees of the Cheektowaga Public Library heretofore and on February 5, 1962, established by this Town Board, their successors to be elected by the Town Board, one each year to serve five years.

Seconded by Councilman Kornecki.

CARRIED: AYES: -7-

Item No. 21 This being the time and the place advertised for a public hearing for the Extension of Sewer District No. 7.

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, and no person or persons appearing in opposition thereof, the following resolution was offered and adopted:

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, Nussbaumer, Clarke and Velzy, engineers duly licensed by the State of New York, have, at the instance of the Town Board, prepared a map, plan and report providing for the extension of Sewer District No. 7, and said map, plan and report has been filed in the office of the Town Clerk, in accordance with Article 12-A of the Town Law, and said map, plan and report shows the sewer lines and the appurtenances necessary to be constructed within the extension of said Sewer District and the location of each, and

WHEREAS, said map, plan and report was duly filed in the office of the Town Clerk for public inspection on February 5, 1962, and has remained on file in said office, and

WHEREAS, the boundaries of said proposed extension of said District, as set forth in said map, plan and report, are as follows:

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Cheektowaga, County of Erie, and State of New York, bounded and described as follows:

BEGINNING at a northwest corner of the Village of Depew formed by the intersection of a north line of the Village of Depew and the center line of Dick Road, which is also a westerly line of the Village of Depew; thence easterly and along said northerly line of the Village of Depew a distance of approximately sixty-one hundred thirty feet (6130) to its intersection with the center line of the present westerly track of the New York Central Railroad; thence southeasterly, southerly and southwesterly along the said center line of said track to its intersection with the southerly line of Ellicott Road as presently laid out, which point of intersection is at a distance of approximately eleven hundred (1100) feet west of the center line of Burkhardt Avenue; thence westerly along the southerly line of Ellicott Road to its intersection with the center line of Dick Road; thence northwesterly along the center line of Dick Road and along a westerly line of the Village of Depew a distance of approximately sixty-two hundred fifty (6250) feet to its intersection with a northerly line of the Village of Depew, the place of beginning.

and

WHEREAS, the improvements proposed to be made in the extension of the district consist of sewer lines and the appurtenances suitable for their operation, and the maximum amount proposed to be expended therefor is \$190,000, which is to be raised by the issuance of bonds issued by the Town of Cheektowaga, and

WHEREAS, it is proposed that the cost of making said improvements shall be assessed by the Town Board in proportion as nearly as may be to the benefit which each lot or parcel of land within the proposed extension of said Sewer District will derive therefrom, and

WHEREAS, the Town Board, on February 5, 1962, duly adopted an order providing that the Town Board shall meet at the Town

Item No. 21-Cont'd

Hall, corner of Broadway and Union Road in said Town, on the 19th day of February, 1962, at 7:30 o'clock P.M., Eastern Standard Time, and hold a public hearing on the extension of said Sewer District, at which all persons interested in the subject thereof might be heard concerning the same, and the Town Board did meet at such time and place and held such hearing, and heard all persons interested in the subject thereof, and

WHEREAS, after holding such hearing, the evidence offered at such public hearing requires that the Town Board make the determinations hereinafter set forth; NOW, THEREFORE,

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

(1) It is hereby determined that (a) the notice of said hearing held on February 19, 1962, was published and posted as required by law and is otherwise sufficient, and (b) all of the property and property owners within the proposed extension of Sewer District No. 7 as the boundaries of the same are hereinabove set forth, are benefited by the extension of said District, and by the making of the improvements in accordance with said map, plan and report, and (c) all of the property and property owners benefited thereby are included within the limits of the proposed extension of Sewer District No. 7 as the boundaries of the same are hereinabove set forth, and (d) the extension of Sewer District No. 7 is in the public interest.

(2) The extension of Sewer District No. 7 with the boundaries hereinabove set forth, and the construction of the improvements set forth in said map, plan and report, are hereby approved.

(3) This resolution is subject to a permissive referendum in the manner provided in Article 7 of the Town Law of New York, and petitions requesting such a referendum may be filed with the Town Clerk at any time within thirty days after the adoption of this resolution.

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

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

AYES: -7-

NOES: -0-

ABSENT: -0-

24

Item No. 22 This being the time and the place advertised for a public hearing for the extension of Water District No. 9. (Park, Cameron and Freemont Avenues, etc.,).

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.

Mr. R. Morningstar of No. appeared and spoke in opposition to the proposed extension.

The Supervisor ordered the hearing closed and decision was reserved.

**LEGAL NOTICE**

**EXTENSION SEWER DIST. 7**

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, in the County of Erie, State of New York, after holding a hearing on a map, plan and report providing for the extension of Sewer District No. 7 in said Town, and the construction therein of sewer lines and the appurtenances necessary for their operation, pursuant to Article 12-A of the Town Law, has adopted on the 19th day of February, 1962, a resolution which (1) determines that the notice of said hearing was duly published and posted as required by law and is otherwise sufficient, and that all property and property owners within said proposed extension of Sewer District No. 7 are benefited by the proposed extension of said Sewer District and by the making of the improvements in accordance with said map, plan and report, and that all property and property owners benefited thereby are included within the limits of said proposed extension of said Sewer District, and that the extension of said Sewer District is in the public interest, and (2) approves the extension of said Sewer District and the construction of the improvements provided for in said map, plan and report. The resolution provides that the proposed extension of Sewer District No. 7 shall contain the following territory:

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Cheektowaga, County of Erie, and State of New York, bounded and described as follows:

BEGINNING at a northwest corner of the Village of Depew formed by the intersection of a north line

of the Village of Depew and the center line of Dick Road, which is also a westerly line of the Village of Depew; thence easterly and along said northerly line of the Village of Depew a distance of approximately sixty-one hundred thirty feet (6130) to its intersection with the center line of the present westerly track of the New York Central Railroad; thence southeasterly, southerly and southwesterly along the said center line of said track to its intersection with the southerly line of Ellicott Road as presently laid out, which point of intersection is at a distance of approximately eleven hundred (1100) feet west of the center line of Burkhardt Avenue; thence westerly along the southerly line of Ellicott Road to its intersection with the center line of Dick Road; thence northwesterly along the center line of Dick Road and along a westerly line of the Village of Depew a distance of approximately sixty-two hundred fifty (6250) feet to its intersection with a northerly line of the Village of Depew, the place of beginning.

Said resolution is subject to a permissive referendum under the provisions of Article 7 of the Town Law of New York, and petitions protesting against said resolution requesting a referendum thereon as provided in Article 12-A of the Town Law may be filed with the Town Clerk at any time within 30 days after the date of the adoption of said resolution.

By Order of the Town Board of the Town of Cheektowaga. Dated: February 19, 1962.

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

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

LEGAL NOTICE  
EXTENSION SEWER DIST

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

<sup>Depew</sup>  
**Herald and News**  
<sup>Cheektowaga</sup>

a newspaper with general circulation in the Towns of Cheektowaga and Lancaster, and published at Depew, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 23rd day of February, 1962, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

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

FEB 24 1962

19\_\_\_\_

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

The above notice was posted as follows on the 23rd day of February, 1962:

( Inside District)

- 1- Telephone Pole No. 50 on Walden Avenue;
- 2- Telephone Pole No. 51 on Walden Avenue;
- 3- Telephone Pole No. 42 on Walden Avenue;
- 4- Post in front of St. Barnabas Church on Geo. Urban Blvd.;
- 5- Telephone Pole No. 21 on Geo. Urban Blvd.

( Outside of District)

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

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

**LEGAL NOTICE  
EXTENSION SEWER DIST. 7**

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, in the County of Erie, State of New York, after holding a hearing on a map, plan and report providing for the extension of Sewer District No. 7 in said Town, and the construction therein of sewer lines and the appurtenances necessary for their operation, pursuant to Article 12-A of the Town Law, has adopted on the 19th day of February, 1962, a resolution which (1) determines that the notice of said hearing was duly published and posted as required by law and is otherwise sufficient, and that all property and property owners within said proposed extension of Sewer District No. 7 are benefited by the proposed extension of said Sewer District and by the making of the improvements in accordance with said map, plan and report, and that all property and property owners benefited thereby are included within the limits of said proposed extension of said Sewer District, and that the extension of said Sewer District is in the public interest, and (2) approves the extension of said Sewer District and the construction of the improvements provided for in said map, plan and report. The resolution provides that the proposed extension of Sewer District No. 7 shall contain the following territory:

**ALL THAT TRACT OR PARCEL OF LAND** situated in the Town of Cheektowaga, County of Erie, and State of New York, bounded and described as follows:

**BEGINNING** at a northwest corner of the Village of Depew formed by the intersection of a north line of the Village of Depew and the center line of Dick Road, which is also a westerly line of the Village of Depew; thence easterly and along said northerly line of the Village of Depew a distance of approximately sixty-one hundred thirty feet (6130) to its intersection with the center line of the present westerly track of the New York Central Railroad; thence southeasterly, southerly and southwesterly along the said center line of said track to its intersection with the southerly line of Ellicott Road as presently laid out, which point of intersection is at a distance of approximately eleven hundred (1100) feet west of the center line of Burkhardt Avenue; thence westerly along the southerly line of Ellicott Road to its intersection with the center line of Dick Road; thence northwesterly along the center line of Dick Road and along a westerly line of the Village of Depew a distance of approximately sixty-two hundred fifty (6250) feet to its intersection with a northerly line

**RICHARD G. BENNETT**

being duly sworn, deposes and says that he is the

**PUBLISHER**

of the

of the Village of Depew, the place of beginning.

Said resolution is subject to a permissive referendum under the provisions of Article 7 of the Town Law of New York, and petitions protesting against said resolution requesting a referendum thereon as provided in Article 12-A of the Town Law may be filed with the Town Clerk at any time within 30 days after the date of the adoption of said resolution.

By Order of the Town Board of the Town of Cheektowaga. Dated: February 19, 1962.

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

f22

Item No. 23 This being the time and the place advertised for a public hearing on the matter of an Ordinance Restricting Parking on Premises or other property rather than streets.

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, and no person or persons appearing in opposition thereof, the matter was referred to the Deputy Town Attorney to draw a proper resolution for said Ordinance.

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Item No. 24 The following resolution was moved by Councilman Kornecki and seconded by Councilman Bystrak:

That the following claims be approved as presented:

General Fund	Nos.	5719	to	5766	inclusive
	Nos.		to		inclusive
Highway Fund	Nos.	1643	to	1666	inclusive
	Nos.		to		inclusive
Special Districts	Nos.	2169	to	2203	inclusive
	Nos.		to		inclusive
Part Town Fund	Nos.	656	to	665	inclusive
C & I	Nos.	345	to	346	inclusive
Tax	Nos.				
Health	Nos.				

AYES: -7-

NOES: -0-

ABSENT: -0-

6

Item No. 25 Moved by Councilman Wroblewski, seconded by Councilman Trojanowski, that the Town Clerk be authorized and directed to issue building permits on applications approved by the Building Inspector in his communication dated February 19, 1962.

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CARRIED: AYES: -7-

Item No. 26 the following communication was read to the board by Mr. Victor J. Moch, Cheektowaga, New York

#### Small Business Meets Competition But Challenges

#### Suppression

My name is Victor J. Moch, I locate at Ave., Cheektowaga, I represent the Businessmen of Walden Ave., known as the Walden Board of Trade Inc.

We are all of the opinion, that the Parking Restrictions, thrust upon us in the Summer of 1959, are Unfair to all of us Businessmen on Walden Ave. These Parking Restrictions should have been removed, after Broadway was reopened. Thrusting Parking Restrictions upon the Businessman of Walden Ave., and leaving them to still exist, is just the same as, imposing a Penalty upon Us. This in itself, is a poor excuse, not a remedy, and cannot be tolerated by the Businessman of Walden Ave., or anywhere in the United States. The Town, the County, and the State are the responsible ones, and they should reciprocate, to provide the Driving Public with Progress in widening of thoroughfares, in return for Taxes of all forms and licenses. Depriving the Small Businessman of normal Parking conveniences is in form, suppression, and affects his Self Employed Status. This would be known as Discriminatory, and of course in Violation of our Constitution. We are asking for the return of something that belongs to us, and thats Normal Parking, with the same conditions as existed, before Broadway was closed. We, the Businessmen of Walden Ave., want the Town Board to realize that Parking Restrictions are vicious and we want them removed. Widening of Walden Avenue should be the concentrated effort, and it will arrive sooner, with Normal Parking prevailing. We, the Businessmen of Walden Ave., are here today to ask our Town Officials to Legally Remove The Parking Restrictions From Walden Ave. Thank You.

The Matter was referred to the Supervisor for study, investigation and action.

41  
42

Item No. 27 Mr. Gibson, president of the Cheektowaga Chamber of Commerce was granted the floor to speak on the new proposed libraries for the Town, and requested that everyone speed up so as to have the libraries as soon as possible.

Mr. Gibson related to the Board that the Chamber of Commerce would like to be appointed on a citizens committee.

Item No. 28 Moved by Councilman Fath, seconded by Councilman Kaczmarek, to adjourn.

SEAL

KENNETH T. HANLEY  
Town Clerk

MEETING NO. 5

Cheektowaga, New York  
March 5, 1962

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, on the 5th day of March, 1962, at 2:30 p.m., Eastern Standard Time, there were:

PRESENT:	Benedict T. Holtz	Supervisor
	Felix Twroblewski	Councilman
	Joseph Kornecki	Councilman
	Michael J. Kaczmarek	Councilman
	Joseph M. Trojanoski	Councilman
	Stanley R. Bystrak	Councilman

ABSENT: Alancin M. Fath Councilman

Also present were: Town Clerk Hanley; Town Attorney Kitzinger; Deputy Town Attorney Delahunt; Chief of Police Mersmann; General Foreman Banko; Receiver of Taxes & Assessments Pfohl; Building & Plumbing Inspector Trafalski; Assessors Kistowski and Special District Tax Clerk Reece.

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

Item No. 3 Ordered referred to the Town Board petition of Mr. A.W. Ricco with approximately 182 signatures of persons approving the operation of an air strip on premises near Union Road and Losson Road.

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42

Item No. 4 Ordered referred to the Town Board twenty seven petitions requesting that the Board withdraw their protest and consider them in favor of the application to move Buffalo Air Park to the new location near Union Road and Losson Road Town of Cheektowaga N.Y.

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42

Item No. 5 Ordered referred to the Town Attorney communication from the Highway Superintendent approving the abandonment of certain highways at the request of Arthur Musarra, Peter Santin and Russell J. Affrunit.

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Item No. 6 Ordered referred to the Town Board communication from the Town Clerk Advising the Board of over-crowded election districts in the town.

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11

Item No. 7 Ordered received and filed annual report of the Town Clerk for the year 1961.

10  
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Item No. 8 Ordered referred to the Town Board communication from Dr. Louis A. Vendetti, Chairman of the Air Pollution Board, requesting that the Board meeting with his committee on March 8, 1962, at 7:30 p.m.

34  
43

Item No. 9 Ordered referred to the Town Board communication from Detective Sergeant Harold J. Kuehlewind requesting a extension of his sick leave absence for a period of six months.

31  
34

Item No. 10 This being the time and the place advertised for a public hearing on the matter of the adoption of an underground gasoline and other flammable liquids ordinance for 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 Board would hear all persons interested in the subject of the hearing.

Kenneth Barnes, chairman of the Committee of the Petroleum Council was granted the floor and requested that the Town Board study paragraph 6 relating to the \$25.00 fee.

Item No. 10-Cont'd

Town Engineer A.J. Kamm was granted the floor and informed the Board that Paragraph 5 should read 10 pounds and not 5 pounds.

The Supervisor referred to matter to the Legal Department and ordered the hearing closed and that the decision be reserved. 33  
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Item No. 11 This being the time and the place advertised for a public hearing the application of the United German & French Cemetery Association requesting the use of certain premises on Maryvale Drive to be used for cemetery purposes.

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.

No one spoke in opposition thereof.

The Supervisor ordered the hearing closed and that the decision be reserved and that the matter be referred to the legal department. 33  
42

Item No. 12 This being the time and the place advertised for a public hearing on the amendment and revision of Section 2, Subdivision B, Paragraph 2, of the Zoning Ordinance of the Town of Cheektowaga, Erie County, New York by adding the following paragraph thereto:

"Notwithstanding the foregoing provisions of this paragraph, it shall be unlawful for any person, firm or corporation to use vacant property located within a residential district, or otherwise, unless the owner of the vacant property also owns an adjacent residence."

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, and no person appearing in opposition thereof, Councilman Kaczmarek moved, seconded by Councilman Kornecki, that the hereinbefore amendment be granted, and that the Town Attorney be authorized and directed to draw a proper resolution for the adoption of same. 40  
33

AYES: -6-

ABSENT: -1-

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

WHEREAS, there has been organized, the Cheektowaga Community Symphony Orchestra, which has added to our community culture significantly, and its auspicious program for the coming year will afford even greater community service, which merits the financial support of the Town of Cheektowaga;

NOW, THEREFORE,

BE IT RESOLVED, that there be transferred from the Contingent Account of the current budget to the Adult Recreation Projects - Other Expenses - Cheektowaga Community Symphony Orchestra Account, the sum of Two Thousand Five Hundred Dollars (\$2,500.00), and be it further

RESOLVED, that the Supervisor be and he hereby is authorized to pay to the Cheektowaga Community Symphony Orchestra the sum of \$2,500.00 from the item in the current budget of Adult

Item No. 13-Cont'd

Recreation Projects - Other Expenses - Cheektowaga Community Symphony Orchestra, upon approval by this Board of a proper voucher submitted by the said Orchestra.

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

CARRIED: AYES: -6- ABSENT: -1-

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16  
4-

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

WHEREAS, the agreement between the Town of Cheektowaga and the Niagara Frontier Port Authority, under which the Town provides police protection at the Greater Buffalo Municipal Airport, expired December 31, 1961, and is an annual contract under which there was paid to the Town last year for such services, the sum of \$32,677.62; and

WHEREAS, the expenses of such services for the year 1962 are not anticipated to exceed the payment made last year as aforesaid; NOW, THEREFORE,

BE IT RESOLVED, that the Supervisor be and he hereby is authorized to execute the annexed agreement on behalf of the Town of Cheektowaga, and the Town Clerk to attest thereto and to affix the Town Seal, which agreement provides for the payment to the Town of \$32,677.62 for the year 1962.

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

CARRIED: AYES: -6- ABSENT: -1-

12  
18  
+2

Item No. 15 Councilman Kaczmarek offered the following resolution and moved its adoption:

WHEREAS, an effort is being made on the part of certain groups and individuals to have the present 1% Erie County Sales Tax increased to 3%, and

WHEREAS, the inspiration for such efforts comes from the financial plight of the City of Buffalo, and not from any need for an increase in this nuisance tax in this or any other Town, and

WHEREAS, a sales tax is unsound and unfair to all persons of low or middle income, as its burden bears most heavily on these people, who must buy the same necessities of everyday living, on which the sales tax is collected, as those in the higher income brackets must purchase; NOW, THEREFORE,

BE IT RESOLVED, that this Town Board hereby opposes any increase in the ERIE County Sales Tax, and be it further

RESOLVED, that a certified copy of this resolution be forwarded by the Town Clerk to the Chairman of the Erie County Board of Supervisors Richard T. Cooke, to the Clerk of said Board of Supervisors Luke C. Owners, to the Majority Leader thereof Lester Miller, and to the Minority Leader thereof Louis Muscato, and that a copy of this resolution be referred to the Finance Committee.

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

CARRIED: AYES: -6- ABSENT: -1-

9  
4-

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

Item No. 16-Cont'd

RESOLVED, that the Supervisor be and he hereby is authorized and directed to deposit all Highway Funds in the Cheektowaga Branch of the Marine Trust Company.

Seconded by Councilman Kaczmarek.

CARRIED: AYES: -6-

ABSENT: -1-

Item No. 17 Councilman Wroblewski offered the following resolution and moved its adoption:

WHEREAS, John J. Zablotny, Superintendent of Highways, has by letter of February 19, 1962, advised this Board that the following highways have been inspected by him and meet Town specifications, and that they be accepted as Town Highways:

AZALEA DRIVE	- 32'	Pavement	- 80'	ROW	-258 feet
"	"	32'	"	60'	" 978 feet
INDUSTRIAL PKWY.	-32'	Pavement	-60'	ROW	-800 feet
"	"	30'	"	"	951 feet
BOXWOOD LANE	30'	"	"	"	1022 feet,

NOW, THEREFORE,

BE IT RESOLVED, that the aforementioned highways be and they hereby are accepted as Town Highways, and the Town Attorney is directed to record the deeds therefor in the Erie County Clerk's Office.

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

CARRIED: AYES: -6-

ABSENT: -1-

Item No. 18 Moved by Councilman Kornecki, seconded by Councilman Kaczmarek, that the Town Clerk be authorized and directed to have published in the Depew Herald & Cheektowaga News and the Cheektowaga Times the 1961 Supervisors Report in its entirety, and that the Town Clerk have 100 copies of same printed for use by interested persons.

CARRIED: AYES: -6-

ABSENT: -1-

Item No. 19 Moved by Councilman Wroblewski, seconded by Councilman Kornecki, that the request of the Forks Fire District No. 3, Town of Cheektowaga, New York, to install a fire hydrant in front of No. 3900 Broadway, be granted, and that the Erie County Water Authority be authorized and directed to install said hydrant.

AYES: -6-

ABSENT: -1-

Item No. 20 Moved by Councilman Bystrak, seconded by Councilman Wroblewski, that the request of the U-Crest Fire District No. 4 to install the hereto attached list of hydrants, be granted and that the Erie County Water Authority be authorized and directed to install said hydrants.

AYES: -6-

ABSENT: -1-

1. 30 or 32 Wellington Road
2. 993 Maryvale Drive
3. 63 Or 64 Barone Circle
4. 18 Or 17 Barone Circle
5. 24 or 27 Bernice Drive
6. 202 or 207 Arthur Musarra Court
7. Lot #131 Bernice Drive or across street
8. " #124 Bernice Drive " " "

Item No. 20-Cont'd

9. Lot #118 Bernice Drive or across street
10. " #165 Paula Drive " " "
11. " #158 Paula Drive " " "
12. " #188 Marlene Drive " " "
13. " #196 Marlene Drive " " "
14. " #202 Marlene Drive " " "
15. " #211 Christian Drive " " "
16. " #218 Christian Drive " " "
17. " #274 Creek View Drive " " "
18. " #237 Creek View Drive " " "
19. " #262 Willow Wood Drive " " "
20. " #243 North Creek Drive " " "
21. North End of N.Y. State Elec. & Gas Property on Leni Lane
22. Lot #94 Leni Lane of across street
23. " #86 Leni Lane or across street
24. North End of NY State Elec. & Gas Property on Angela Lane
25. Lot #63 Angela Lane of across street
26. " #56 Angela Lane or across street
27. North End of NY State Elec. & Gas Property on Deborah Lane
28. Lot #34 Deborah Lane or across street
29. " #27 Deborah Lane " " "
30. North End of NY State Elec & Gas Property on Betty Lou Lane
31. Lot #8 Betty Lou Lane or across street
32. Lot #1 Betty Lou Lane " " "
33. 71 Nagel Drive or across street
34. 95 Nagel Drive or across street
35. 400 Ft. South of 95 Nagel Drive or across street
36. Nagel Drive and North Creek Drive
37. North End of NY State Elec. & Gas Property on Lloyd Drive
38. Lot #257 Lloyd Drive or across street
39. Lot #250 Lloyd Drive near North creek Drive
40. North End of NY State Elec. & Gas Property on Ellsworth Place
41. Lot #225 Ellsworth Place or across street
42. Lot #217 Ellsworth Place near North Creek Drive
43. North End of NY State Elec. & Gas Property on Lucy Lane
44. 400 Ft. South of Hydrant at North End of NYSE&G Property on Lucy Lane
45. Lucy Lane and North Creek Drive
46. Pole #J25 - NYSE&G - George Urban Blvd east of Bernice
47. South West corner of George Urban Blvd & Dick Road
48. Pole #122 - Dick Road, South of George Urban Blvd.
49. Pole #435-33 NYSEG - Dick Road - South of George Urban Blvd.
50. Pole #435-32 NYSEG - Dick Road - South of George Urban Blvd.
51. 4247 Union Road or across street
52. Pole #wny 193 - Genesee St. East of Dick Road
53. 3909 Genesee Street
54. Pole #202 - Genesee Street & Buell Avenue
55. 4215 Genesee Street
56. Anthony Street 300 Feet North of Genesee Street

22  
28

Item No.21 Moved by Councilman Wroblewski, seconded by Councilman Trojanoski, that the Reynders Electric Company be authorized and directed to install a "Stop and Go" traffic signal at Harlem Road C.R. #353 at the south entrance of the Thruway Plaza, in conformance with attached permit from the Erie County Highway Department.

41  
9

CARRIED: AYES: -6- ABSENT: -1-

Item No.22 Moved by Councilman Wroblewski, seconded by Councilman Trojanoski;

WHEREAS, the Zoning Board of Appeals of the Town of Cheektowaga, Erie County, New York, held a public hearing for the purpose of considering the application of Rita Merlo 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

Item No. 22-Cont'd

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

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

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

DESCRIPTION

(3831 Harlem Road - from Deed)

All that Certain Piece or Parcel of Land, situate and being in the Town of Cheektowaga, County of Erie and State of New York, and described as follows to wit: Southerly one-half Lot Three and Northerly one-half Lot Four (So.  $\frac{1}{2}$  3 No.  $\frac{1}{2}$  4) of Abbott & Beymer's Crest View Subdivision, being part of Lot 27, T. 11, R. 7 of the Holland Land Company's Survey, as shown on map of said subdivision filed in Erie County Clerk's Office under Cover No. 1180.

Subject to certain restrictions contained in Deed dated February 7th, 1930, and recorded in the Erie County Clerk's Office in Liber 2101 of Deeds at Page 149.

CARRIED: AYES: -6- ABSENT: -1-

The above Notice was posted on the Town Hall Bulletin Board on the 23rd day of March, 1962. 19

Item No. 23 Moved by Councilman Trojanoski, seconded by Councilman Kaczmarek, that this Town Board does hereby take off from the table the matter of the petition of A.W. Ricco to rezone from a second industrial district to airport district certain premises between Union Road and Losson Road. 17 19

CARRIED: AYES: -6- ABSENT: -1-

Item No. 24 Moved by Councilman Trojanoski, seconded by Councilman Kornecki:

WHEREAS, the Zoning Board of Appeals of the Town of Cheektowaga, Erie County, New York, held a public hearing for the purpose of considering the application of A.W. Ricco for the rezoning of premises from Second Industrial District to Airport District of the property hereinafter described and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, THE Zoning Board of Appeals having rendered its decision granting the application of the petitioner to rezone from Second Industrial District to Airport 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 Second Industrial District to Airport 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 Second Industrial District to Airport District.

DESCRIPTION

A parcel 250' in width and 3700' in length, beginning at a point 520' easterly from the eastern boundary of Union Road at its closet point and running to a line approximately 1025' westerly from the wester-

Item No. 24-Cont'd

ly boundary of Losson Road at its closet point, the southern most line of said parcel being between 200' and 300' from the monumented center line of the New York Central Railroad, more particularly described as follows:

Beginning at a point which shall be ascertained by measuring from the stone monument located by N.Y.S. on the Gardenville-Williamsville Part I, S.H. 1733 (Union Road Improvement) easterly boundary, 55' east of GL Station 65 of said Highway and also marking the northerly end of the improved highway, thence proceeding 210' northerly to a point in said Improvement East boundary, thence at right angles, 520' east to a point which is the point of beginning, being the northwest corner of the parcel, said northwest corner being also 560.8' easterly from above mentioned stone monument, running thence 250' southeasterly to a point marking the southwest corner of the parcel, which point is 730' easterly from above mentioned stone monument and 300' northwesterly from the monumented GL of N.Y.C. Railroad running thence at right angles a distance of 3700' to a point which point is 200' northwesterly from the monumented center line of the New York Central Railroad, running thence at right angles northwesterly a distance of 250', and running thence southwesterly on a line parallel with the easterly line of the parcel 3700' to the point of beginning.

Dated: March 5, 1962

Duly put to a vote which resulted as follows:

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

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

Dated: 3-5-62

The above notice was posted on the Town Hall Bulletin Board on March 9, 1962. 19

Item No. 25 Moved by Councilman Wroblewski, seconded by Councilman Kornecki, that the Town Clerk be authorized and directed to issue building permits on applications approved by the Building Inspector in his communication dated March 5, 1962. 15

CARRIED: AYES: -6- ABSENT: -1-

Item No. 26 The following resolution was moved by Councilman Kornecki, and seconded by Councilman Bystrak:

That the following claims be approved as presented:

General Fund	Nos. 5768	to	5813	inclusive
	Nos.	to		inclusive
Highway Fund	Nos. 1671	to	1696	inclusive
	Nos.	to		inclusive
ial Districts	Nos. 2207	to	2242	inclusive
	Nos.	to		inclusive
Town Fund	Nos. 667	to	676	inclusive
C & I	Nos.			
Tax	Nos.			
Health	Nos.			

64

Item No. 26-Contd

AYES: -6-

NOES: -0-

ABSENT: -1-

6

Item No. 27 Moved by Councilman Wroblewski, seconded by Councilman Kornecki, that this meeting be adjourned out of respect of Astronaut John Glenn Jr, and that in the future that a town highway be named for this man who three time orbited the world in space.

Seal

Kenneth T. Hanley, Town Clerk

MEETING NO. 6

CHEEKTOWAGA, NEW YORK  
MARCH 19, 1962

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, on the 19th day of March, 1962, at 7:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT:	Benedict T. Holtz	Supervisor
	Felix T. Wroblewski	Councilman
	Joseph Kornecki	Councilman
	Michael J. Kaczmarek	Councilman
	Joseph M. Trojanoski	Councilman
	Stanley R. Bystrak	Councilman

ABSENT:	Alancin M. Fath	Councilman
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Also present were: Town Clerk Hanley; Deputy Town Attorney Delahunt; Town Engineer Kamm, and Lieutenant Graham.

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

Item No. 3 Ordered received and filed communication from Joseph Huber, Cheektowaga Police Department, resigning his position effective as of March 31, 1962.

Item No. 4 Ordered referred to Councilman Kornecki communication from the Manufacturers and Traders Trust Company and the Marine Trust Company submitting bids for funds to remain on deposit.

Item No. 5 Ordered referred to the Town Board communication from the Chief of Police relative to parking on Walden Avenue from Harlem Avenue to the Buffalo City Line.

Item No. 6 Ordered referred to the Town Attorney, Town Board, and the Chief of Police communication from the New York State Traffic Commission relating to speed restrictions in the Town of Cheektowaga.

Item No. 7 Ordered referred to the Town Board the request of the Francis J. Donovan Post #1626 Auxiliary to sell poppies at the Thruway Plaza and Westinghouse Plant on May 24, 1962.

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

WHEREAS, emergency sewer repairs were required at 4528 Union Road and on Huth 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 \$485.99 (Union Road), and \$487.83 (Huth Road).

BE IT RESOLVED, that the vouchers of Straco, Inc., in the amounts of \$485.99 and \$487.83 to do the work and furnish the materials be approved and order paid.

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

AYES: -6-

NOES: -0-

ABSENT: -1-

Item No. 9 Councilman Kaczmarek offered the following resolution and moved its adoption:

BE IT RESOLVED, that the architectural firm of Foit and Baschnagel be and they hereby are retained to prepare the necessary plans and specifications, and supervise the construction of a public library building to be located on the present Town Hall site, or such other site as may be determined, such agreement to be for the same fee and contain the same provisions as the agreement heretofore made with said architectural firm in connection with the construction of an addition to the existing Town Hall, and that the Supervisor be and he hereby is authorized to execute on behalf of the Town of Cheektowaga, such agreement with said firm, the same to be attested by the Town Clerk, who shall affix thereto the Town seal.

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

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

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

WHEREAS, there has been created Erie County Sewer District No. 1, which, with the County of Erie, is engaged in constructing a sanitary sewer system in a large area of the south part of the Town of Cheektowaga, and in an area of approximately the same size in the north part of the Town of West Seneca, and

WHEREAS, in connection with the construction of said sanitary sewer system, it is necessary to construct a trunk sewer through a portion of the Town Hall site, located at the corner of Union Road and Broadway, which sewer will become available for use by the several Town buildings located on said site and which may in the future be located thereon, an easement for the construction of which trunk sewer is required by said County and Sewer District; NOW, THEREFORE,

BE IT RESOLVED, that the Supervisor be and he hereby is authorized to execute a conveyance for no consideration to the County of Erie and to Erie County Sewer District No. 1, on behalf of the Town of Cheektowaga, of an easement for the construction, reconstruction, relocation, operation, repair, removal and maintenance of a sanitary sewer and appurtenances in, under, upon, and across the following described premises, to wit: a strip of land 20 feet in width, centered over the following described center line:

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 10, Township 11, Range 7, of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the east line of Union Road as the same was determined upon and established for Grade Crossing Elimination Case No. 4666, said point being 360 feet northerly from the point of intersection of said east line of Union Road and the northerly right-of-way line of the Niagara Mohawk Power Corporation; thence easterly at an interior angle of 87°-05' 320 feet, more or less, to the easterly line of the property owned by the Town of Cheektowaga. Said easement to have such conditions and restrictions as the Town Board may determine.

AND BE IT FURTHER RESOLVED, that this resolution is subject to a permissive referendum and shall take effect at the time and in the manner prescribed by Section 91 of the Town Law.

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

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



Item No. 10-Cont'd.

Posted as follows on the 23rd day of March, 1962:

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

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

33  
24

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

**PUBLIC NOTICE**

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, in the County of Erie, in the State of New York, has on the 19th day of March, 1962, adopted a resolution authorizing the Supervisor of execute a conveyance for no consideration to the County of Erie and to Erie County Sewer District No. 1, on behalf of the Town of Cheektowaga, of an easement for the construction, reconstruction, relocation, operation, repair, removal, and maintenance of a sanitary sewer and appurtenances in, under, upon and across the following described premises, to wit: a strip of land 20 feet in width, centered over the following described center line:

RICHARD G. BENNETT

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 10, Township 11, Range 7, of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the east line of Union Road as the same was determined upon and established for Grade Crossing Elimination Case No. 4668, said point being 360 feet northerly from the point of intersection of said east line of Union Road and the northerly right-of-way line of the Niagara Mohawk Power Corporation; thence easterly at an interior angle of 87°-05' 320 feet, more or less, to the easterly line of the property owned by the Town of Cheektowaga.

Said easement to have such conditions and restrictions as the Town Board may determine.

Said resolution was adopted subject to a permissive referendum under the provisions of Article 7 of the Town Law of New York, and petitions protesting against such resolution and requesting that it be submitted to the qualified electors of the Town of Cheektowaga for their approval or disapproval, may be filed with the Town Clerk at any time within thirty days after the date of the adoption of said resolution.

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

Dated, March 19, 1962.

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

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

WHEREAS, this Town Board, at a meeting held on the 5th day of February, 1962, at 2:30 o'clock P.M., Eastern Standard Time, adopted a resolution that the Town Board meet at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, on the 19th day of February, 1962 at 7:30 o'clock P.M., Eastern Standard Time, for the purpose of considering the advisability of adopting Local Ordinance No. 32, and

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

WHEREAS, pursuant to said resolution, the Town Board of the Town of Cheektowaga, did meet on the 19th day of February, 1962, at the Town Hall in said Town of Cheektowaga, for the purpose of considering the advisability of adopting an Ordinance to be known as Local Ordinance no. 32, 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 an Ordinance to be known as Local Ordinance No. 32, and provide as follows:

PARKING ON PREMISES  
OR PROPERTY  
OTHER THAN STREETS

Pursuant to the authority of Section 130 of the Town Law of the State of New York; No person shall park, stand, store or leave a motor vehicle upon any publicly or privately owned premises or property, parking areas or parking lots, without the consent and permission of the owner or lessee of such premises.

To effectuate the prohibition on such premises as above described, a conspicuous sign or signs shall be posted at the entrances to such parking lots or parking areas informing the public as to the permitted conditions or parking thereon. A sign as hereinafter described shall be deemed substantial compliance with this section.

PARKING RESTRICTED  
(6 inches)  
EXCEPT FOR  
(LIST PERSONS OR CONDITIONS  
PERMITTED ONLY)  
(4 inches)  
ALL OTHERS KEEP OUT  
(6 inches)  
UNDER PENALTY OF LAW  
CHAPTER XII  
TRAFFIC ORDINANCES  
OF THE TOWN OF  
CHEEKTOWAGA  
(2 inches)  
POLICE ENFORCEMENT

Such signs shall be at least three feet high by four feet wide, with red lettering of a size not less than above indicated upon a white background. The words "police enforcement" and "under penalty of law" on such signs shall be construed, among other things, to mean a request by the owner or lessee that the police or special patrolman shall enforce the provisions of this section against persons parking, standing, storing or leaving vehicle on such premises without the consent of the owner or lessee, and that the police are authorized to enter upon such premises to enforce the provisions of this ordinance. Such signs shall state the conditions of parking or the persons authorized by the owners or lessee to use said premises for parking or both; and persons not included within such authorization or violating the regulations and conditions set out on said signs shall be deemed to be using said premises unlawfully without the authority and consent of the owner or lessee.

Item No. 11-Cont'd.

This section may be enforced by the police or special patrolmen in the same manner as elsewhere provided for in the traffic ordinances of the Town of Cheektowaga for the enforcement of traffic or parking ordinances, including the use of tags, summonses, and any other procedures authorized by law.

Proof of ownership of a vehicle shall be presumptive evidence in an action for enforcement of this section that the owner parked or caused his vehicle to be parked on such premises.

On demand of the police, any owner or lessee requesting police enforcement of this ordinance shall furnish to the police a statement in writing, signed by him or his agent to the effect, that a specified vehicle was unlawfully parked, stored or left upon his premises at a certain time or during a certain period without his consent or permission, and such owner or lessee shall be available to testify to such facts in court at the request of the police.

Failure of an owner or lessee to comply with the request of the police as above set out shall be sufficient cause for the chief of police or his subordinates to cease enforcing this ordinance at the premises of such owner or lessee who fails to give the cooperation required herein.

The provisions of this ordinance shall not apply to any area of the Town within the Villages of Depew or Sloan.

This ordinance shall become effective ten (10) days after publication and posting as required by Law.

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 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 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 corporation 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 Bystrak	Voting AYE
Councilman Kaczmarek	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Wroblewski	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

Posted as follows on the 23rd day of March, 1962:

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

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

STATE OF NEW YORK }  
COUNTY OF ERIE } ss.  
Monday, Tuesday, Thursday, Friday  
1 to 4 and 7 to 9 p. m.  
Saturday—10:30 a.m. to 1 p. m.  
FOR APPOINTMENT —  
4990 BROADWAY DEPEW  
VERGER Auto Glass Co.  
NT 4-4330  
CUT TO ORDER!  
ALL TYPES OF MIRRORS

of Cheektowaga, N. Y.  
Town Clerk of the Tow  
KENNETH J. HANLEY  
Dated, March 19, 1962.  
the Town of Cheektowaga.  
By order of the Town Board  
adoption of said resolution.  
days after the date of th  
Clerk at any time within thirt  
may be filed with the Tow  
of the Town of Cheektowaga fr  
their approval or disapproval  
mitted to the qualified elector  
and requesting that it be su  
testing against such resolutio  
New York, and petitions pr  
Article 7 of the Town Law  
endum under the provisions  
subject to a permissive refe  
Said resolution was adopte  
the Town Board may determin  
conditions and restrictions  
Said easement to have suc  
the Town of Cheektowaga.  
line of the property owned l  
more or less, to the easter  
angle of 87°-05' 320 fee  
thence easterly at an interi  
hawk Power Corporation  
way line of the Niagara M  
and the boundary line of

STATE OF NEW YORK }  
COUNTY OF ERIE } ss.  
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 one weeks: first publication MAR 20 1962; last publication MAR 27 1962; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this APR 2 1962

day of April 19 1962  
Everett J. Allis

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

NOTARY PUBLIC  
STATE OF NEW YORK  
NOTARY PUBLIC  
NOTARY PUBLIC  
NOTARY PUBLIC

request by the owner or lessee that the police or special patrolman shall enforce the provisions of this section against persons parking, standing, storing or leaving vehicle on such premises without the consent of the owner or lessee, and that the police are authorized to enter upon such premises to enforce the provisions of this ordinance. Such signs shall state the conditions of parking or the persons authorized by the owners or lessee to use said premises for parking or both; and persons not included within such authorization or violating the regulations and conditions set out on said signs shall be deemed to be using said premises unlawfully without the authority and consent of the owner or lessee.

This section may be enforced by the police or special patrolmen in the same manner as elsewhere provided for in the traffic ordinances of the Town of Cheektowaga for the enforcement of traffic or parking ordinances, including the use of tags, summonses, and any other procedures authorized by law.

Proof of ownership of a vehicle shall be presumptive evidence in an action for enforcement of this section that the owner parked or caused his vehicle to be parked on such premises.

On demand of the police, any owner or lessee requesting police enforcement of this ordinance shall furnish to the police a statement in writing, signed by him or his agent to the effect that a specified vehicle was unlawfully parked, stored or left upon his premises at a certain time or during a certain period without his consent or permission, and such owner or lessee shall be available to testify to such facts in court at the request of the police.

Failure of an owner or lessee to comply with the request of the police as above set out shall be sufficient cause for the chief of police or his subordinates to cease enforcing this ordinance at the premises of such owner or lessee who fails to give the cooperation required herein.

The provisions of this ordinance shall not apply to any area of the Town within the Villages of Depew or Sloan.

This ordinance shall become effective ten (10) days after publication and posting as required by Law.

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 DEFEW HERALD & CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES, newspapers having a general circulation in said Town, and

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

This ordinance shall take effect 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 corporation 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 Bystrak, Voting Aye  
Councilman Kaczmarek,

Voting Aye  
Councilman Kornecki,  
Voting Aye  
Councilman Trojanoski,  
Voting Aye  
Councilman Wroblewski,

Voting Aye  
AYES: 6; NOES: 0; ABSENT: 1  
State of New York  
Erie County

Office of the Clerk of the ss:  
Town of Cheektowaga  
This is to certify that I, KENNETH T. HANLEY, Clerk of the, Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on March 19, 1962, 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  
19th day of March,  
1962.

KENNETH T. HANLEY  
Clerk of the Town Board,  
Town of Cheektowaga,  
m22 New York.

## TOWN OF ERIE

### LEGAL NOTICE

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 19th day of March, 1962 at 7:30 o'clock P.M., Eastern Standard Time, there were

#### PRESENT:

Benedict T. Holtz, Supervisor  
Stanley Bystrak, Councilman  
Michael Kaczmarek,

Councilman

Joseph Kornecki, Councilman  
Joseph Trojanoski,

Councilman

Felix Wroblewski,

Councilman

#### ABSENT:

Alancin M. Fath, Councilman  
Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a meeting held on the 5th day of February, 1962, at 2:30 o'clock p.m., Eastern Standard Time, adopted a resolution that the Town Board meet at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, on the 19th day of February, 1962 at 7:30 o'clock p.m., Eastern Standard Time, for the purpose of considering the advisability of adopting Local Ordinance No. 32, and

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

WHEREAS, pursuant to said resolution, the Town Board of the Town of Cheektowaga, did meet on the 19th day of February, 1962 at the Town Hall in said Town of Cheektowaga, for the purpose of considering the advisability of adopting an Ordinance to be known as Local Ordinance No. 32, 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 an Ordinance to be known as Local Ordinance No. 32, and provide as follows:

#### PARKING ON PREMISES OR PROPERTY OTHER THAN STREETS

Pursuant to the authority of Section 130 of the Town Law of the State of New York; No person shall park, stand, store or leave a motor vehicle upon any publicly or privately owned premises or property, parking areas or parking lots, without the consent and permission of the owner or lessee of such premises.

To effectuate the prohibition on such premises as above described, a conspicuous sign or signs shall be posted at the entrances to such parking lots or parking areas informing the public as to the permitted conditions or parking thereon. A sign as hereinafter described shall be deemed substantial compliance with this section.

#### PARKING RESTRICTED

(6 inches)

(LIST PERSONS OR CONDITIONS PERMITTED ONLY)

(4 inches)

ALL OTHERS KEEP OUT

(6 inches)

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

## LEGAL NOTICE

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 19th day of March, 1962 at 7:30 o'clock P.M., Eastern Standard Time, there were

## PRESENT:

Benedict T. Holtz, Supervisor  
Stanley Bystrak, Councilman  
Michael Kaczmarek,

Councilman

Joseph Kornecki, Councilman  
Joseph Trojanoski,

Councilman

Felix Wroblewski,

Councilman

## ABSENT:

Alancin M. Fath, Councilman  
Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a meeting held on the 5th day of February, 1962, at 2:30 o'clock p.m., Eastern Standard Time, adopted a resolution that the Town Board meet at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, on the 19th day of February, 1962 at 7:30 o'clock p.m., Eastern Standard Time, for the purpose of considering the advisability of adopting Local Ordinance No. 32, and

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

WHEREAS, pursuant to said resolution, the Town Board of the Town of Cheektowaga, did meet on the 19th day of February, 1962 at the Town Hall in said Town of Cheektowaga, for the purpose of considering the advisability of adopting an Ordinance to be known as Local Ordinance No. 32, 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 an Ordinance to be known as Local Ordinance No. 32, and provide as follows:

PARKING ON PREMISES  
OR PROPERTY  
OTHER THAN STREETS

Pursuant to the authority of Section 130 of the Town Law of the State of New York; No person shall park, stand, store or leave a motor vehicle upon any publicly or privately owned premises or property, parking areas or parking lots, without the consent and permission of the owner or lessee of such premises.

To effectuate the prohibition on such premises as above described, a conspicuous sign or signs shall be posted at the entrances to such parking lots or parking areas informing the public as to the permitted conditions or parking thereon. A sign as hereinafter described shall be deemed substantial compliance with this section.

## PARKING RESTRICTED

(6 inches)

(LIST PERSONS OR  
CONDITIONS PERMITTED  
ONLY)

(4 inches)

ALL OTHERS KEEP OUT

(6 inches)

UNDER PENALTY OF LAW

CHAPTER XII

TRAFFIC ORDINANCES

OF THE TOWN OF

CHEEKTOWAGA

(2 inches)

## POLICE ENFORCEMENT

Such signs shall be at least three feet high by four feet wide, with red lettering of a size not less than above indicated upon a white background. The words "police enforcement" and "under penalty of law" on such signs shall be construed, among other things, to mean a

tify to such facts in court at the request of the police.

Failure of an owner or lessee to comply with the request of the police as above set out shall be sufficient cause for the chief of police or his subordinates to cease enforcing this ordinance at the premises of such owner or lessee who fails to give the cooperation required herein.

The provisions of this ordinance shall not apply to any area of the Town within the Villages of Depew or Sloan.

This ordinance shall become effective ten (10) days after publication and posting as required by Law.

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

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

This ordinance shall take effect 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 corporation 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 Bystrak, Voting Aye  
Councilman Kaczmarek,

Voting Aye

Councilman Kornecki,

Voting Aye

Councilman Trojanoski,

Voting Aye

Councilman Wroblewski,

Voting Aye

AYES: 6; NOES: 0; ABSENT: 1

State of New York

Erie County

Office of the Clerk of the ss:

Town of Cheektowaga

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on March 19, 1962, 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  
19th day of March,  
1962.

KENNETH T. HANLEY  
Clerk of the Town Board,  
Town of Cheektowaga,  
m22 New York.

NEW YORK

ERIE

CHEEKTOWAGA

ss.

ALLIS, of the Town of Cheekto-

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

<sup>Depew</sup> <sup>Cheektowaga</sup>  
**Herald and News**

a newspaper with general circulation in the Towns of Cheektowaga and Lancaster, and published at Depew, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 22nd day of March, 1962, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

Richard G. Bennett

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

March 8, 1962

, 19\_\_\_\_

Kenneth T. Hardy

Notary Public in and for Erie County

At a meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 19th day of March, 1962 at 7:30 o'clock P.M., Eastern Standard Time, there were PRESENT:

BENEDICT T. HOLTZ  
Supervisor  
STANLEY BYSTRAK  
Councilman  
MICHAEL KACZMAREK  
Councilman  
JOSEPH KORNECKI  
Councilman  
JOSEPH TROJANOSKI  
Councilman  
FELIX WROBLEWSKI  
Councilman  
ABSENT:  
ALANCIN M. FATH  
Councilman

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a meeting held on the 5th day of February, 1962, at 2:30 o'clock P.M., Eastern Standard Time, adopted a resolution that the Town Board meet at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, on the 19th day of February, 1962 at 7:30 o'clock P.M., Eastern Standard Time, for the purpose of considering the advisability of adopting Local Ordinance No. 32, and

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

WHEREAS, pursuant to said resolution, the Town Board of the Town of Cheektowaga, did meet on the 19th day of February, 1962 at the Town Hall in said Town of Cheektowaga, for the purpose of considering the advisability of adopting an Ordinance to be known as Local Ordinance No. 32, 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 an Ordinance to be known as Local Ordinance No. 32, and provide as follows:

**PARKING ON PREMISES**

**OR PROPERTY**

**OTHER THAN STREETS**

Pursuant to the authority of Section 120 of the Town Law of the State of New York; No person shall park, stand, store or leave a motor vehicle upon any publicly or privately owned premises or property, parking areas or parking lots, without the consent and permission of the owner or lessee of such premises.

To effectuate the prohibition on such premises as above described, a conspicuous sign or signs shall be posted at the entrances to such parking lots or parking areas informing the public as to the permitted conditions or parking thereon. A sign as hereinafter described shall be deemed substantial compliance with this section.

**PARKING RESTRICTED**  
(6 inches)

EXCEPT FOR  
LIST PERSONS OR CONDITIONS PERMITTED ONLY  
(4 inches)

ALL OTHERS KEEP OUT  
(6 inches)

UNDER PENALTY OF LAW  
CHAPTER XII  
TRAFFIC ORDINANCES  
OF THE TOWN OF  
CHEEKTOWAGA

with red lettering of a size not less than above indicated upon a white background. The words "police enforcement" and "under penalty of law" on such signs shall be construed among other things to mean a request by the owner or lessee that the police or special patrolman shall enforce the provisions of this section against persons parking, standing, storing or leaving vehicle on such premises without the

TRAFFIC ORDINANCES  
OF THE TOWN OF CHEEKTOWAGA

with red lettering of a size not less than above indicated upon a white background. The words "police enforcement" and "under penalty of law" on such signs shall be construed, among other things to mean a request by the owner or lessee that the police or special patrolman shall enforce the provisions of this section against persons parking, standing, storing or leaving vehicle on such premises without the consent of the owner or lessee, and that the police are authorized to enter upon such premises to enforce the provisions of this ordinance. Such signs shall state the conditions of parking or the persons authorized by the owners or lessee to use said premises for parking or both; and persons not included within such authorization or violating the regulations and conditions set out on said signs shall be deemed to be using said premises unlawfully without the authority and consent of the owner or lessee.

This section may be enforced by the police or special patrolmen in the same manner as elsewhere provided for in the traffic ordinances of the Town of Cheektowaga for the enforcement of traffic or parking ordinances, including the use of tags, summonses, and any other procedures authorized by law.

Proof of ownership of a vehicle shall be presumptive evidence in an action for enforcement of this section that the owner parked or caused his vehicle to be parked on such premises.

On demand of the police, any owner or lessee requesting police enforcement of this ordinance shall furnish to the police a statement in writing, signed by him or his agent to the effect that a specified vehicle was unlawfully parked, stored or left upon his premises at a certain time or during a certain period without his consent or permission, and such owner or lessee shall be available to testify to such facts in court at the request of the police.

Failure of an owner or lessee to comply with the request of the police as above set out shall be sufficient cause for the chief of police or his subordinates to cease enforcing this ordinance at the premises of such owner or lessee who fails to give the cooperation required herein.

The provisions of this ordinance shall not apply to any area of the Town within the Villages of Depew or Sloan.

This ordinance shall become effective ten (10) days after publication and posting as required by Law.

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 THE CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES, newspapers having a general circulation in said Town, and

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

This ordinance shall take effect 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 corporation seal of the Town and showing the date of publication and posting.

which resulted as follows:

Supervisor Hoot  
Voting AYE  
Councilman Butler  
Voting AYE  
Councilman Kaczmarek  
Voting AYE  
Councilman Kornecki

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 corporation seal of the Town and showing the date of its passage.

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

AYES: 6 NOES: 0 ABSENT: 1  
STATE OF NEW YORK )  
ERIE COUNTY )  
OFFICE OF THE CLERK )  
OF THE TOWN OF )  
CHEEKTOWAGA )

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on March 19, 1962, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this March 19, 1962.

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

(Pub: March 22)

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

WHEREAS, this Town Board at a meeting held on the 19th day of February, 1962, at 7:30 o'clock P.M., Eastern Standard Time, adopted a resolution that the Town Board meet at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, on the 5th day of March, 1962, at 2:30 o'clock P.M., Eastern Standard Time, for the purpose of considering the advisability of adopting an amendment and revision of Section 2, Subdivision B, Paragraph 2 of the Zoning Ordinance of the Town of Cheektowaga by adding the following paragraph thereto:

"Notwithstanding the foregoing provisions of this paragraph, it shall be unlawful for any person, firm, or corporation to use vacant property located within a residential district for the purpose of storing or parking any vehicle, commercial or otherwise, unless the owner of the vacant property also owns an adjacent residence."

Which amendment would pertain to the entire Town of Cheektowaga, outside of the Villages of Depew and Sloan, pursuant to the provisions of Section 130, of the Town Law of the State of New York, and

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

WHEREAS, pursuant to said resolution, the Town Board of the Town of Cheektowaga, did meet on the 5th day of March, 1962, at the Town Hall in the said Town of Cheektowaga, for the purpose of considering the advisability of adopting said amendment and revision, 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 said amendment and revision of the Zoning Ordinance of the Town of Cheektowaga.

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

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

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

AYES: -6-

NOES: -0-

ABSENT: -1-

Posted as follows on the 23rd day of March, 1962:

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

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

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks:  
first publication MAR 22 1962  
last publication MAR 22 1962  
and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

day of MAR 22 1962 19.....

Eugene J. Allis

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

63

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

**SPECIAL NOTICE**  
At a regular meeting of  
Town Board of the Town  
Cheektowaga, Erie County,  
New York

At a regular meeting of Cheektowaga, Erie County, New York, on the 5th day of March, 1962, at the Town Hall in said Town of Cheektowaga, for the purpose of considering the advisability of adopting said amendment and revision, and

**PRESENT:**

Benedict T. Holtz, Supervisor  
Stanley Bystrak, Councilman  
Michael Kaczmarek, Councilman  
Joseph Kornecki, Councilman  
Joseph Trojanoski, Councilman  
Felix Wroblewski, Councilman

**ABSENT:**

Alancin M. Fath, Councilman  
Councilman Kaczmarek presented the following resolution and moved its adoption:

WHEREAS, this Town Board at a meeting held on the 19th day of February, 1962, at 7:30 o'clock P.M., Eastern Standard Time, adopted a resolution that the Town Board meet at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, on the 5th day of March, 1962, at 2:30 o'clock P.M., Eastern Standard Time, for the purpose of considering the advisability of adopting an amendment and revision of Section 2, Subdivision B, Paragraph 2 of the Zoning Ordinance of the Town of Cheektowaga by adding the following paragraph thereto:

"Notwithstanding the foregoing provisions of this paragraph, it shall be unlawful for any person, firm, or corporation to use vacant property located within a residential district for the purpose of storing or parking any vehicle, commercial or otherwise, unless the owner of the vacant property also owns an adjacent residence." which amendment would pertain to the entire Town of Cheektowaga, outside of the Villages of Depew and Sloan, pursuant to the provisions of Section 130, of the Town Law, of the State of New York, and

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

WHEREAS, pursuant to said resolution, the Town Board of

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 said amendment and revision of the Zoning Ordinance of the Town of Cheektowaga.

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

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

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

Seconded by Councilman Wroblewski and duly put to a vote which resulted as follows: Supervisor Holtz, Voting Aye; Councilman Bystrak, Voting Aye; Councilman Kaczmarek,

Voting Aye; Councilman Kornecki,

Voting Aye; Councilman Trojanoski,

Voting Aye; Councilman Wroblewski,

Voting Aye.

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

State of New York

Erie County

Office of the Clerk of the Town of Cheektowaga

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original 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 March 19, 1962, 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  
19th day of March,  
1962.

KENNETH T. HANLEY  
Clerk of the Town Board,  
Town of Cheektowaga,  
m22 New York

RICHARD G. BENNETT

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

<sup>Depew</sup>  
**Herald and News** <sup>Cheektowaga</sup>

a newspaper with general circulation in the Towns of  
Cheektowaga and Lancaster, and published at Depew,  
New York, that notice of which the annexed printed  
slip taken from said newspaper, is a copy, was in-  
serted and published therein once a week for 1  
week, the first insertion being on the 22nd day  
of March, 1962, and the last inser-  
tion being on the \_\_\_\_\_ day of \_\_\_\_\_,  
19\_\_\_\_, and that not more than six days intervened  
between any two publications thereof.

Richard G. Bennett

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

MAY 6 1962, 19\_\_\_\_  
Henrich D. Amling  
Notary Public in and for Erie County

Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 19th day of March, 1962 at 7:30 o'clock P.M., Eastern Standard Time, there were

PRESENT:  
BENEDICT T. HOLTZ Supervisor  
STANLEY BYSTRAK Councilman  
MICHAEL KACZMAREK Councilman  
JOSEPH KORNECKI Councilman  
JOSEPH TROJANOSKI Councilman  
FELIX WROBLEWSKI Councilman  
ABSENT:  
ALANORN M. PATH Councilman

Councilman Kaczmarek presented the following resolution and moved its adoption:

WHEREAS, this Town Board at a meeting held on the 19th day of February, 1962, at 7:30 o'clock P.M., Eastern Standard Time, adopted a resolution that the Town Board meet at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, on the 5th day of March, 1962, at 2:30 o'clock P.M., Eastern Standard Time, for the purpose of considering the advisability of adopting an amendment and revision of Section 2, Subdivision B, Paragraph 2 of the Zoning Ordinance of the Town of Cheektowaga by adding the following paragraph thereto: "Notwithstanding the foregoing provisions of this paragraph, it shall be unlawful for any person, firm, or corporation to use vacant property located within a residential district for the purpose of storing or parking any vehicle, commercial or otherwise, unless the owner of the vacant property also owns an adjacent residence." which amendment would pertain to the entire Town of Cheektowaga, outside of the Villages of Depew and Sloan, pursuant to the provisions of Section 130, of the Town Law, of the State of New York, and

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

WHEREAS, pursuant to said resolution, the Town Board of the Town of Cheektowaga, did meet on the 5th day of March, 1962, at the Town Hall in said Town of Cheektowaga, for the purpose of considering the advisability of adopting said amendment and revision of the Zoning Ordinance of the Town of Cheektowaga.

At said hearing, the Town Board decided that it was in the public interest to adopt said amendment and revision of the Zoning Ordinance of the Town of Cheektowaga.

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 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 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.

decided that it was in the public interest to adopt said amendment and revision of the Zoning Ordinance of the Town of Cheektowaga.

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

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

Supervisor Holtz

Voting AYE

Councilman Bystrak

Voting AYE

Councilman Kaczmarek

Voting AYE

Councilman Kornecki

Voting AYE

Councilman Trojanoski

Voting AYE

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 March 19, 1962, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town at

New York

(Pub: March 22)

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Item No. 13  
Trojanoski,

Moved by Councilman Wroblewski, seconded by Councilman

WHEREAS, the Highway Superintendent has recommended to this Town Board that he is in need of the following equipment for use in the Highway Department:

One Street Sweeper  
One Trac Paver  
One Mower-Ford Model 502 or equal  
One 4-wheel drive rubber tired Load 4 in 1 Bucket

BE IT RESOLVED, that the Town Clerk be authorized and directed to publish the following Notice to Bidders in the DEPEW HERALD AND CHEEKTOWAGA NEWS:

NOTICE TO BIDDERS

Sealed proposals will be received by the Town Board of the Town of Cheektowaga until 2:30 p.m., on April 2, 1962 at the Council Chambers of the Town Hall of said Town located at the corner of Broadway and Union Road and then and there publicly opened and read for the furnishing of one (1) Street Sweeper; one (1) Trac Paver; one (1) Mower-Ford Model 502 or equal; one (1) 4-wheel drive rubber tired Loader 4 in 1 Bucket.

Specifications and information for bidders may be obtained from the undersigned at his office in said Town Hall.

Dated: March 19, 1962

KENNETH T. HANLEY  
Town Clerk

AYES: -6-

NOES: -0-

ABSENT: -1-

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

STATE OF NEW YORK  
COUNTY OF ERIE

} ss.:

**NOTICE TO BIDDERS**

Sealed proposals will be received by the Town Board of the Town of Cheektowaga until 2:30 p.m., on April 2, 1962 at the Council Chambers of the Town Hall of said Town located at the corner of Broadway and Union Road and then and there publicly opened and read for the furnishing of one (1) Street Sweeper; one (1) Trac Paver; one (1) Mower- Ford Model 502 or equal; one (1) 4-wheel drive rubber tired Loader  $\frac{1}{2}$  in 1 Bucket.

Specifications and information for bidders may be obtained from the undersigned at his office in said Town Hall.  
Dated: March 19, 1962

KENNETH T. HANLEY,  
m22 Town Clerk

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a newspaper with general circulation in the Towns of Cheektowaga and Lancaster, and published at Depew, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 22nd day of March, 1962, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

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

\_\_\_\_\_, 19\_\_\_\_

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

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

RESOLUTION OF THE BOARD OF THE TOWN OF CHEEKTOWAGA

WHEREAS, this Town Board did adopt a resolution at its regular meeting held in the Town Hall on the 3rd day of July, 1961, requesting the State Department of Public Works to revise its design of the Kensington Expressway to provide a road and exit northerly along the easterly portion of the Mother of Divine Grace Roman Catholic Church, School, Convent, and Rectory, and

WHEREAS, the State Department of Public Works has agreed to construct this roadway with the understanding that the necessary rights of way will be donated by the Church and that the Town of Cheektowaga agrees to accept and maintain said roadway.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Cheektowaga will accept the roadway from Rosary Boulevard easterly along the southerly property of Mother of Divine Grace Church and northerly to its intersection with Danbury Drive.

Seconded by Councilman Kornecki.

AYES: -6-

NOES: -0-

ABSENT: -1-

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

WHEREAS, the Cheektowaga Town Board on December 18, 1961 adopted a resolution to change the names of the highways in the Tiorunda Development in accordance with map on file in the Town Clerk's Office on June 17, 1961, and

WHEREAS, the Town Board deferred action on the proposed changes until after collection of 1962 County taxes.

NOW, THEREFORE,

BE IT RESOLVED, that the proper departments of the Town of Cheektowaga undertake to make the changes necessary forthwith.

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

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

AYES: -6-

NOES: -0-

ABSENT: -1-

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

WHEREAS, the lease for storage of voting machines with Florence Kistowski covering premises located at \_\_\_\_\_ expires on July 1, 1962, and whereas the Town of Cheektowaga needs the premises for the same purpose for future use.

NOW, THEREFORE, BE IT RESOLVED that the Supervisor be and he hereby is authorized to execute a renewal of said lease for the same premises for an additional three year period to expire on July 1, 1965, at the same rental of \$150.00 per month.

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

AYES: -6-

NOES: -0-

ABSENT: -1-

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

WHEREAS, this Town Board has heretofore engaged Mr. Edward Lelonek as a Land Acquisition Agent in connection with acquisition of Town Park sites, and

WHEREAS, said Edward Lelonek has presented a voucher in the amount of \$1,500.00 for services rendered by him under the aforesaid engagement, and there is no item in the current budget for payment of said voucher; NOW, THEREFORE,

BE IT RESOLVED, that there be transferred from the Contingent Account of the current budget to the Park Site Acquisition Account, the sum of \$1,500.00, and be it further

RESOLVED, that the Supervisor be and he hereby is authorized to pay the voucher of Edward Lelonek in the amount of \$1,500.00, from the item in the current budget of Park Site Acquisition Account.

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

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

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

RESOLVED, that the New York State Electric and Gas Corporation be authorized to remove ten (10) 2500 lumen filament units and four (4) 6000 lumen filament units in Cleveland Drive between Union and Cayuga Road and to install twenty (20) 175 Watt mercury units in Cleveland Drive between Union and Cayuga Roads.

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

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

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

Item No. 19 Moved by Councilman Trojanoski, seconded by Councilman Wroblewski, that Harold J. Kuehlewind be granted a ninety (90) day sick leave absence.

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

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

WHEREAS, the Cheektowaga Town Board conducted a public hearing on March 19, 1962 after proper notice and proper publication, wherein they considered the advisability of approving the use of certain premises for cemetery purposes, at which hearing all interested persons were afforded an opportunity to be heard.

NOW, THEREFORE,

BE IT RESOLVED, that permission is hereby granted to use the following described premises for cemetery purposes:

Item No. 20-Cont'd.

ALL THAT TRACT OR PARCEL OF LAND, together with the improvements thereon, situated in the Town of Cheektowaga, County of Erie and State of New York, briefly described as follows: being part of lot No. Thirty-five (35) in the Eleventh (11th) Township and Seventh (7th) Range, according to the Holland Land Company's survey and described as follows:

Beginning at a point in the south line of Maryvale Road (formerly Pine Ridge Road) as laid out as a sixty-six (66) foot highway, seven hundred thirty-nine and 52/100 (739.52) feet westerly of the intersection of said south line of Maryvale Road with its intersection with the east line of said Lot No. 35, being also the west line of Harlem Road as laid out as a sixty-six foot highway; thence westerly along south line of Maryvale Road one hundred (100) feet to lands known as the "Jewish Cemetery" thence southerly parallel to east line of said Lot No. 35 and along the east line of said "Jewish Cemetery" about two hundred eighteen and thirty-eight hundredths (218.38) feet to a point therein thirty (30) feet north of north line of lands known as the "Polish Cemetery", thence easterly and parallel to the north line of said Lot No. 35, one hundred (100) feet; thence northerly and parallel to east line of said Lot No. 35 about two hundred eighteen and sixty-one hundredths (218.61) feet to the place of beginning.

Together with all right, title and interest of the parties of the first part in that portion of Maryvale Road in front of and between the east and west lines of said premises as extended.

ALSO, THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, and being part of Lot No. 35 in the 11th Township and 7th Range according to the Holland Land Company's survey described as follows:

Beginning at a point in the south line of Maryvale Road (formerly Pine Ridge Road) as laid out as a 66-foot highway; two hundred fifty (250) feet westerly of the intersection of said south line of Maryvale Road with the east line of said Lot No. 35 being also the west line of Harlem Road as laid out as a 66-foot highway; running thence westerly along said south line of Maryvale Road four hundred eighty-nine and fifty-two one hundredths (489.52) feet to a point therein; running thence southerly on a line parallel to the east line of said Lot No. 35 about two hundred eighteen and sixty-one one hundredths (218.61) feet to a point therein thirty (30) feet north of the north line of lands known as the "Polish Cemetery"; running thence westerly and parallel to the north line of said Lot No. 35, one hundred (100) feet to lands known as the "Jewish Cemetery"; running thence southerly and parallel to said east line of Lot No. 35 and along the east line of said "Jewish Cemetery"; thirty (30) feet to the lands known as the "Polish Cemetery"; running thence easterly and parallel to the north line of said Lot No. 35 and along the north line of lands of the "Polish Cemetery"; five hundred eighty-nine and fifty-two one hundredths (589.52) feet to a point in said line; running thence northerly and parallel to the said west line of Harlem Road two hundred forty-nine and seventy-seven hundredths (249.77) feet to the place of beginning.

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

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

AYES: -6-

NOES: -0-

ABSENT: -1-

Item No. 21

Moved by Councilman Wroblewski, seconded by Councilman Trojanoski, that the Town Clerk be authorized and directed to issue building permits on applications approved by the Building Inspector in his communication dated March 19, 1962.

AYES: -6-

NOES: -0-

ABSENT: -1-

Item No. 22      The following resolution was moved by Councilman Kornecki and seconded by Councilman Bystrak:

That the following claims be approved as presented:

General Fund	Nos.	5815	to	5902	inclusive
Highway Fund		1699		1722	
Special Districts		2244		2272	
Part Town Fund		679		695	
C & I		350		352	

AYES:    -6-

NOES:    -0-

ABSENT:    -1-

Item No. 23

DECISION OF ZONING BOARD OF APPEALS

In the Matter of the Application of  
AUGUST & SARA LASCOLA

To rezone from a residential zone to business zone the following described premises: ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie, State of New York, bounded and described in accordance with a survey by John W. Darling, dated May 24, 1955, beginning at the southerly corner of Cleveland Drive (80' wide) and Beach Road (60' wide) and extending thence (1) southeastwardly along the southwesterly side of Cleveland Drive 150' to point and extending, thence (2) southwestwardly at right angles to Cleveland Drive 88.82' to a point, and extending, thence (3) northwestwardly and parallel with Cleveland Drive 150' to a point in the southeasterly side of Beach Road and extending, thence (4) northeastwardly along the southeasterly side of Beach Road 88.82' to the point and place of beginning.

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The applicant intends to use the premises for a gasoline service station.

The Zoning Board of Appeals conducted a public hearing on February 21, 1962, after proper notice to all proper parties. Approximately 20 people appeared in opposition to the rezoning basing their objections primarily upon the fact that most properties in the area are zoned for residential purposes and that the use contemplated would substantially decrease real property values in this neighborhood. Objections were also voiced due to the fact that the premises are in the vicinity of a church and school and would be a safety hazard to the upwards of a thousand children attending the school. It was also stated that there were deed restrictions in this area prohibiting the use of these premises for business purposes.

The members of the Zoning Board of Appeals subsequently inspected the premises and other premises in the vicinity and recognizing the fact that most of the properties are used for residential purposes, and being of the opinion that a business use would definitely depreciate values, and recognizing that there would be a safety hazard for the school children in the area, recommend that the application be denied.

/s/ Lawrence M. Lawniczak

/s/ Leo Kurnick, Chairman  
/s/ Joseph P. Kubera

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

RESOLVED, that this Town Board does hereby deny the application of August and Sara Lascola to rezone from Residential Zone to Business Zone the southeast corner of Cleveland Drive and Beach Road .

Seconded by Councilman Kornecki.

AYES:    -6-

NOES:    -0-

ABSENT:    -1-

Item No. 25      Moved by Councilman Bystrak, seconded by Councilman Kaczmarek, to adjourn.

SEAL

KENNETH T. HANLEY  
Town Clerk