At a regular meeting of the Town Board of the Town of Cheektowaga, Erie Item No. 1 County, New York, held at the Town Hall, corner of Broadway and Union Road, in said Town on the 6th day of July, 1970, at 2:30 o'clock p.m., Eastern Daylight Saving Time there were:

> PRESENT: Supervisor Daniel E. Weber Councilman Felix T. Wroblewski

Councilman Frank E. Swiatek Councilman Joseph R. Obstarczyk Councilman Donald A. Halicki Councilman Raymond J. Wasielewski

0 ABSENT:

Also present were: Benedict T. Holtz, Town Clerk; John V. Rogowski, Town Attorney; Edward Banko, Superintendent of Sanitation; Thaddeus Skowron, Highway Engineer; Carl Trafalski, Building Inspector; Lorraine Kaminski, Senior Clerk-Board of Assessors; Ronald R. Norman, Receiver of Taxes; Dr. Louis A. Vendetti, Town Health Officer; Salvatore LaGreca, Planning Commission Chairman; Erie County Air Pollution Control Board; Mr. Rose, Vice President of Darling & Company; Julia Reinstein, Town Historian.

Supervisor Weber opened the meeting with a prayer.

Appointment of Kenneth J. Meyers as Councilman on Cheektowaga Town Item No. 2 Board.

Motion by Councilman Obstarczyk, seconded by Councilman Swiatek----

WHEREAS a vacancy presently exists on the Town Board of the Town of Cheektowaga, New York; therefore be it

RESOLVED that Kenneth J. Meyers residing at Cheektowaga, New York be, and hereby is, appointed as Councilman to the town board of the Town of Cheektowaga, New York, effective immediately.

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki

and Wasielewski

NAYES: ABSENT: 0 0

VA CAN CY:

Motion by Supervisor Weber, seconded by Councilman Obstarczyk----

Cheektowaga, New WHEREAS Kenneth J. Meyers of York, has been employed as a Bingo Inspector by the Town of Cheektowaga, and

WHEREAS said Kenneth J. Meyers has been appointed as Councilman to the Town Board of the Town of Cheektowaga, New York on July 6, 1970, and

WHEREAS said Kenneth J. Meyers has submitted his resignation as Bingo Inspector; now therefore be it

RESOLVED that said resignation as Bingo Inspector is accepted by the Town Board effective as of July 6, 1970.

Upon Roll Call----

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki

and Wasielewski

NAYES:

ABSENT: VACANCY: 0 1

Item No. 3 Benedict T. Holtz - erroneous resolution Resolution passed June 15, 1970 corrected as follows:

Motion by Supervisor Weber, seconded by Councilman Wroblewski----

RESOLVED that the following be hired as seasonal summer laborers, to be called when needed, for the Sanitation Department at a rate of \$2.36 per hour:

James Cebulski, Kenneth Kubik, Robert T. Nagowski. Jr.. Dale Kwiatkowski, Robert Piechocki, John Dota, Donald Szymanski. Nathan Jarmuz, Paul Klein, Thomas Luterek, Thomas Zakowicz, Gerald Owczarczak, Daniel Buczynski, Michael Wass, David Piesecki, Walter Komorowski. Kenneth Stranc, Paul Schneggenburger, James Militello, Francis Kadryna, Gary Wyman, William Palmer, Donald Ziembiec, Ronald Smith, Joseph Rozek,

FURTHER RESOLVED that the wages of the above-listed personnel are to be paid from the Sanitation Department's budget.

Upon Roll Call--AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers

NAYES: 0
ABSENT: 0

Item No. 4
Water District No. 9.
Petition in opposition to consolidation of water districts.
Received and filed.

#### I. BIDS

Item No. 5 Repair of Sanitary Sewers.

Referred to the Town Engineer, Mr. Chester L. Bryan.

# II. GENERAL COMMUNICATIONS

Item No. 6
N.Y.S. Public Service Commission - Case 25687 - Notice of Public Hearing regarding increased fares and charges proposed by Niagara Frontier Transit System, Inc.
Received and filed.

Item No. 7 N.Y.S. Department of Transportation - Notice of Action regarding stopping prohibition on Dick Road.

Referred to the Chief of Police, Benedict Kostrzewski.

Item No. 8 Erie County Legislature, Frank C. Ludera, Minority Leader - installation of upstream screen Pine Ridge Road Section of Scajaquada Creek.
Referred to the Town Engineer, Chester L. Bryan.

- Item No. 9 Town of Tonawanda Town Board copy of resolution regarding opposition to appointment of members to the Erie County Industrial Development Agency.
  Received and filed.
- Item No. 10 United States Post Office, Buffalo requests that the Town rename Cedarwood Drive and Michelle Drive.
  Referred to the Board of Assessors.
- Item No. 11 Village of Sloan copy of Junk Yard Ordinance.

  Referred to the Town Attorney, John V. Rogowski and to the Chief of Police, Benedict Kostrzewski.
- Item No. 12

  General Code Publishers Progress Report.

  Referred to Town Attorney, John Rogowski and to the Town Board.
- Item No. 13

  Buffalo Sewer Authority Sewer Rents.
  Referred to the Town Attorney, John V. Rogowski.
- Item No. 14 Niagara Frontier Transportation Authority increase of fine for illegal parking at the Greater Buffalo International Airport.
  Referred to the Chief of Police, Benedict Kostrzewski.
- Item No. 15 American Federation of Grain Millers opposition to proposal to close Darling & Company.
  Petition of residents in the area of Darling & Company to close the plant.

Motion by Supervisor Weber, seconded by Councilman Wroblewski----

WHEREAS a large number of residents of the Town of Cheektowaga, who reside in the vicinity of William Street and the Cheektowaga-Buffalo City Line, and more particularly in the area surrounding the plant known as Darling & Company, located at 2000 William Street in the Town of Cheektowaga have complained of the obnoxious, nauseating and offensive odors emanating from said plant as a result of their rendering operations, and

WHEREAS at a Town Board Meeting held on June 15, 1970, many residents appeared at the Town Board Meeting to voice their complaints and requested that another meeting be held to hear all interested parties, and

WHEREAS on July 6, 1970, during the regularly scheduled Cheektowaga Town Board Meeting, various interested and affected parties appeared at said meeting, and reports were given by the Cheektowaga Health Officer, the Erie County Air Pollution Control Board, a representative of Darling & Company and reports of numerous residents residing in said area, and

WHEREAS as a result of said meeting, which was also attended by the Trustees and the Mayor of the Village of Sloan, it appears that the present operation of the rendering plant is affecting the repose, well-being, health and comfort of many of the residents of said area. And it further appears that the only immediate solution to said problem is to close down the rendering operation; now therefore be it

RESOLVED that the Town Board of the Town of Cheektowaga hereby memorializes and requests that the Erie County Legislature take the necessary steps to commence legal action against Darling & Company for alleged violation of the Sanitary Code of the Erie County Department of Health, and more specifically Article 14-Air Pollution Control thereof, and to demand the immediate shutdown of said plant as part of said action and to enjoin said plant from continuing any and all of its rendering operations, and be it

FURTHER RESOLVED that a Certified Copy of this resolution be forwarded to the Clerk of the Erie County Legislature.

Upon Roll Call---
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki

Wasielewski and Meyers

-3-

7/6/70

Item No. 15 cont'd

NAYES:

0

ABSENT:

0

Item No. 16 New York State Electric & Gas Corporation - notice of installation of street lights on West Cherbourg Drive and West Toulon Drive.

Received and filed.

Item No. 17 Board of Fire Commissioners, Hy-View Fire District No. 8 - fire and first aid protection and assessment for Tops Market, Transit Road.

Referred to the Town Attorney, John V. Rogowski.

Item No. 18 Como Park Blvd. & Union Road Citizens & Taxpayers Association - signal at intersection of Como Park Boulevard and Indian Road.

Referred to the Town Attorney, John V. Rogowski and the Chief of Police, Benedict Kostrzewski.

Item No. 19 Como Park Blvd. & Union Road Citizens & Taxpayers Association littering on town and county roads. Referred to the Chief of Police, Benedict Kostrzewski.

Item No. 20 Thomas Cleary, - cleanup of sub-lots 115 and 116 on Biscayne Drive.

Referred to the Deputy Town Attorney, Mr. Robert Miller.

Road Area.

R. C. Maciuba, , Depew - rat infestation Dick
Referred to the Town Health Officer, Dr. Louis A. Vendetti.

Item No. 22 Lorraine Blachura, - letter and petition requesting amendment of Article 2, Section 2.00 Part B "Accessory Uses" of the Cheektowaga Zoning Ordinance.

Motion by Councilman Wasielewski, seconded by Councilman Wroblewski----

WHEREAS a number of residents of the Town of Cheektowaga have requested the amendment of the Zoning Ordinance, Article 2, Section 2.00, Part B - "Accessory Uses" to include owner-operated, one-chair beauty salons; now therefore be it

RESOLVED that the Town Attorney is hereby directed to initiate the necessary procedures for a Public Hearing as specified under the provisions of the Zoning Ordinance of the Town of Cheektowaga.

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers.

NAYES:

0

ABSENT:

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Item No. 23
Opinions.

Kenneth W. Kitzinger, Attorney-at-Law - Volume 24 State Comptrollers
Referred to the Town Attorney, John V. Rogowski.

Item No. 24 D. H. Ketchum, Regional Director - Lancaster Relief Route Section 1 (Thruway Triple Interchange to Transit Road.)
Referred to the Town Engineer, Chester L. Bryan.

Item No. 25 Edward J. O'Connor, Attorney-at-Law - removal of sidewalk on property of Mr. & Mrs. Edward Kramer,
Referred to the Town Attorney, John V. Rogowski and the Town Engineer,
Chester L. Bryan.

# III. DEPARTMENTAL COMMUNICATIONS

Item No. 26 **Building Permits.** 

Motion by Councilman Wroblewski, seconded by Councilman Halicki----

RESOLVED that the building applications submitted to the Building and Plumbing Department June 12, 1970 through July 2, 1970, including the previously tabled application of Sierra Research for Cayuga Road, be approved with the following exceptions:

### Tabled:

Spear Custom Homes, 55 Frantzen Terrace, Fr br ven sin dwl att gar Spear Custom Homes, 88 Frantzen Terrace, Fr br ven sin dwl

Serafini & Gen. Module Corp., 144 Isabelle Road, Erect modular home

Upon Roll Call----

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki, AYES:

Wasielewski and Meyers

0 NAYES:

0 ABSENT:

Attorney - request for Public Hearing for Special Permit for public Item No. 27 car wash.

Motion by Councilman Swiatek, seconded by Councilman Halicki----

WHEREAS Huron-U-Drive-It Corporation has made application and requested a Special Permit to operate a public car wash at 4517 Genesee Street, Cheektowaga, New York; now therefore be it

RESOLVED that a Public Hearing be held regarding said request, under the provisions of the Zoning Ordinance, on July 20, 1970 at 7:00 o'clock P.M., Eastern Daylight Saving Time at the Cheektowaga Town Hall.

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers

NAYES:

0

ABSENT:

(Affidavit Next Page)

RICHARD G. BENNETT

	being duly sworn, deposes and says that he is the  PUBLISHER  of the
the half powered Cases, the half of Broadway and be active of Broadway and be active on the 20th day of the strong time any for the purpose of the species o	Depew Herald and News
B-Drive-It Corp., for a least Permit to conduct a least wash located at 4197	a newspaper with general circulation in the Towns of
Breet Gleektowage,	Cheektowaga and Lancaster, and published at Depzw,
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Pelit T. Wroblewski Councilman	tion being on the day of
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Service R. Obstarczyk  *Genetiman	between any two publications thereof.
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Cobsellman MENEDICT T. HOLTZ	/>-
Town Clerk	3 in day of

....., 19*7a*....

Notary Public in and for Erie County

CAROL P. BENNETT
NOTARY PUBLIC, STATE OF NEW YORK
Qualified in Eric County
My Commission Expires March 30, 19.2

RICHARD G. BENNETT

The special state of the special special

being duly sworn, deposes and says that he is the

of the

# Herald and News

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 land day of day of and that not more than six days intervened
between any two publications thereof.

Sworn to before me this 3 to day of

Notary Public in and for Erie County

CAROL P. BENNETT
MUTARY PUBLIC, STATE OF NEW YORK
Qualified in Eric County
My Commission Expires March 30, 19 2

A Public Rearing will be helicity. The Town of Cheekitowing, Eric Clearly, New York, at the Town Kall at the said Town of Cheekitowing, addisor of Broadway and Union Stall, on the 20th day of July, 1800, at 7:00 o'clock P.M., East-will Daylight Saving Time of said My for the purpose of considerate the application of Huron U-Dries - H Corp. for a Special Permit is inselect a public car wash limited at 4197 Genesee Street, Michigan 601 and Section 6-012 Mr. Eching Ordinance of the Michigan of Cheektowaga, New York, Lie parties in interest and citismish of Cheektowaga, New York.

Lie parties in interest and citismish be given an opportunity in heard in regard to such pro-Michigan Strong Ordinance.

BY ORDER OF THE TOWN DESIGN.

Supervisor Daniel E. Weber Councilmen Palix T. Wroblewski Dissicilmen Frank E. Swinick

Joseph R. Obstarczyk Councilmen Donald A. Halicki Councilmen

Raymond J. Wasielowski
Conncilman
Kouneth J. Meyers
BENEDICT T. HOLTZ,
Town Clerk

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA

WILLARD C. ALLIS, of the Town of Cheek-towaga, 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 ......

first publication 1970; tast publication 21149,1970; and that no more than six days intervened between publications.

a . . . As before me this

Sworn to before me the

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

GLORY ANN KRYSINSKI

NOTARY PUBLIC STATE OF NEW YORK

QUALIFIED IN ERE COUNTY

MY COMMISSION EXPIRES MARCH 30, 1972

Item No. 28 Town Clerk's Office - application for rezoning - Norman Castine, 600 Cayuga Road, with recommendation of County and Town Planning Commissions attached.

WHEREAS Norman J. Castine has made application and requested a rezoning of the property at 600 Cayuga Road from R-Residence District to M1-Light Manufacturing District; now therefore be it

RESOLVED that a Public Hearing be held regarding said request, under the provisions of the Zoning Ordinance, on July 20, 1970, at 7:00 o'clock P.M., Eastern Daylight Saving Time at the Cheektowaga Town Hall.

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers

NAYES:

)

ABSENT:

0

(Affidavit Attached)

STATE OF NEW YORK COUNTY OF ERIE

**ss.**:

#### RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

#### **PUBLISHER**

.. of the

# 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 week, the first insertion being on the last insertion being on the day of and that not more than six days intervened between any two publications thereof

the field Town of Checker, sterner of Broadway and sond, on the 20th day of 1978, at 7:00 o'clock P.M., a Daylight Saving Time day for the purpose of their the application of 1. Castine, for the Research II. - Light Manufacturistic of the property at 600 Caynga Road things, New York, and the accordingly, pursuant section 16:00 of the Zoning Map and the accordingly, pursuant section 16:00 of the Zoning the accordingly, pursuant section 16:00 of the Zoning the accordingly, pursuant section 16:00 of the Zoning the accordingly pursuant section 16:00 of the Zoning the accordingly pursuant section 16:00 of the Zoning the Event 16:00 of the Zoning the section in the section in the section of the Interest and I will be given an opportunity be heard in regard to the DEROER OF THE TOWN 1850.

Daniel E. Weber

Bipervisor
Belix T. Wroblewski
Councilman
Frank E. Swiatek
Councilman
Joseph R. Obstarczyk
Councilman
Donald A. Halicki
Councilman
Raymond J. Wasielewski
Councilman

Councilman Kenneth J. Meyers Councilman BENEDICT T. HOLTZ

Town Clerk

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aid Bewett

Notary Public in and for Erie County

CAROL P. BENNETT

NOTARY PUBLIC, STATE OF NEW YORK

Qualified in Eric County

My Commission Expires March 30, 19\_2

Town Clerk's Office - application for rezoning - Norman Castine, 600 Cayuga Road, with recommendation of County and Town Planning Commissions attached.

WHEREAS Norman J. Castine has made application and requested a rezoning of the property at 600 Cayuga Road from R-Residence District to M1-Light Manufacturing District; now therefore be it

RESOLVED that a Public Hearing be held regarding said request, under the provisions of the Zoning Ordinance, on July 20, 1970, at 7:00 o'clock P.M., Eastern Daylight Saving Time at the Cheektowaga Town Hall.

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers

NAYES:

ABSENT:

(Affidavit Attached)

STATE OF NEW YORK COUNTY OF ERIE

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

**PUBLISHER** 

of the

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Herald

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 9a day uee, 1970, and the last insertion being on the day of \_\_\_\_\_ 19...... and that not more than six days intervened between any two publications thereof.

edingly, pursuant a 10-00 of the Zonia ties in interest and illi be given an oppor to be heard in regard proposed application. OFFICER OF THE TOWN miel E. Weber

eik T. Wroblewski eilman Frank E. Swiatek Oruncilman Joseph R. Obstarczyk Councilman

Sworn to before me this 13 reday of

Notary Public in and for Erie County

CAROL P. BENNETT INTARY PUBLIC, STATE OF MEN YORK lified in Eric Con

COUNTY OF E

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that
a findle Hearing will be held by
the Them Board of the Town of
Chashtowaga, Erie County, New
West, at the Town Hall in the said
Town of Cheektowaga, corner of
theselway and Union Road, on the
the day of July 1970, at 7:00
Think P.M., Eastern Daylight
theolog Time, of said day for the
marines of considering the applimenting from R.-Residence District to M1-Light Manufacturing
theolog Town R.-Residence District to M1-Light Manufacturing
theolog to M1-Light Manufacturing
theolog Cayaga Road, Cheektowaga,
New York and amending the Zoning Map and Ordinance accordingby, serming Ordinances of the Town
of Chesktowaga, New York.

All sarjies in interest and citiman will be given an opportunity
to be heard in regard to such proyound application.

BY ORDER OF THE TOWN

BY ORDER OF THE TOWN
BOARD
Supervisor Daniel E. Weber
Councilman
Felix T. Wroblewski
Councilman Frank E. Swiatek
Councilman
Joseph R. Obstarczyk
Councilman
Gouncilman
Raymond J. Wasielewski
Councilman

Councilman
Kemeth J. Meyers
BENEDICT T. HOLTZ,
Town Clerk

(H9)

7/6/70

-6-

Item No. 28 Town Clerk's Office - application for rezoning - Norman Castine, 600 Cayuga Road, with recommendation of County and Town Planning Commissions attached.

WHEREAS Norman J. Castine has made application and requested a rezoning of the property at 600 Cayuga Road from R-Residence District to M1-Light Manufacturing District; now therefore be it

RESOLVED that a Public Hearing be held regarding said request, under the provisions of the Zoning Ordinance, on July 20, 1970, at 7:00 o'clock P.M., Eastern Daylight Saving Time at the Cheektowaga Town Hall.

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers

NAYES:

)

ABSENT:

0

(Affidavit Atmana)

COUNTY OF ERIE
TOWN OF CHEEKTOWAGA

WILLARD C. ALLIS, of the Town of Cheek-towaga, in said County of Erie, being daily sworm, 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 .......

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first publication...

tween publications.

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Sworn to before me this .....

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

NOTARY PUBLIC STATE OF NEW YORK

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7/6/70

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<u>Item No. 29</u> Cheektowaga Planning Commission - request for change in zoning for southeast corner - Harlem Road and Southern Parkway submitted by Mr. Edward L. Vendetti.

Motion by Supervisor Weber, seconded by Councilman Wroblewski----

WHEREAS Edward L. Vendetti, owner of premises located at the southeast corner of Harlem Road and Southern Parkway, has requested the Town Board to change the Zoning Map in order to change the said real property from R-Residence District to CM-General Commercial District, and

WHEREAS it appears that prior to the adoption of the new Zoning Ordinance, said premises have been used and zoned for business purposes; now therefore be it

RESOLVED that a Public Hearing be held on July 20, 1970, at 7:00 o'clock P.M., Eastern Daylight Saving Time at the Cheektowaga Town Hall for the purpose of considering said application, and be it

FURTHER RESOLVED that said hearing is being called on motion of the Town Board rather than the property owner, since it appears that the change in zoning restricted the use of said property from its prior use under the previous Zoning Map of the Town of Cheektowaga.

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers

NAYES:

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ABSENT:

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(Affidavit Next Page)

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RICHARD G. BENNETT	Ri	CHA	RD	G.	BENNETT
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Sworn to before me this 134 day of

Notary Public in and for Erie County

CAROL P. BENNETT MOTARY PUBLIC, STATE OF NEW YOU Qualified in Erie County

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**PUBLISHER** 

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134 day of

Notary Public in and for Erie County

CAROL P. BENNETT NOTARY PUBLIC, STATE OF NEW YOR

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By ORDER OF THE TOWN

#24

#3|

A CARDER OF THE IOWN
LINE

RESERVISOR Deniel E. Weber

Deniellman
Felix T. Wroblewski

Deniellman
Joseph R. Obsjarpzyk

Compellman
Deniellman

Deniell

Enymond J. Wasielewski Councilmsn Kenneth J. Meyers

BENEDICT T. HOLTZ,
Town Clerk

COUNTY OF ERIE
TOWN OF CHEEKTOWAGA

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

first publication (1970); last publication (1970); and that no more than six days intervened between publications.

Willard C. allis

Sworn to before me this

Glory an Kripinske

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

GLORY ANN KRYSINSKI

NOTARY PUBLIC STATE OF NEW YORK

QUALIFIED IN ZRIZ COUNTY

MY COMMISSION EXPIRES MARCH 30, 1922

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#3**|** 

Item No. 30 Stanley Bystrak - application of Stanley Senko, relocate and renovate drainage easement in vicinity of William Street.

, to

Motion by Supervisor Weber, seconded by Councilman Wroblewski----

WHEREAS Stanley Senko of , Cheektowaga, New York, the owner of property located at 2859 William Street, Cheektowaga, New York, has requested permission to relocate and renovate a drainage easement in the vicinity of William Street upon and abutting said property at 2859 William Street, and

WHEREAS the said Town of Cheektowaga has been requested to accept the maintenance responsibility of the proposed 48-inch diameter corrugated metal pipe within said easement, and

WHEREAS said Stanley Senko has agreed to deed a 25 foot width easement which runs parallel to the new right-of-way of William Street and extends across the entire width of land owned by Stanley Senko, and

WHEREAS the Highway Superintendent has recommended acceptance of said request; now therefore be it

RESOLVED that the Town of Cheektowaga will permit said relocation and renovation planned, provided that said project will be undertaken and maintained in accordance with the directives of the Superintendent of Highways and the Town Engineer of the Town of Cheektowaga during all steps of its construction:

Provide further that said relocation is conditioned upon said Stanley Senko granting a deed of the afore-mentioned 25 foot width easement to the Town of Cheektowaga.

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers

NAYES:

0

ABSENT:

0

Item No. 31 Stanley Bystrak - cleanup and landscaping of property on west side of the creek running between Heritage Court and Andres Place.

Received and filed.

Item No. 32 Stanley Bystrak - transfer of \$15,000 from the General Fund to the Sidewalk Repair Fund.

Referred to the Town Board; Town Attorney, John V. Rogowski and John Malloy of the Accounting Department.

Item No. 33 Supervisor Weber's comments.

Erie County Department of Public Works - E. W. Umiker, P.E., Deputy Commissioner of Highways - traffic study at intersection of Dick Road and Lydia Lane.

Referred to the Chief of Police, Benedict Kostrzewski and the Traffic Safety Commission.

#### IV. RESOLUTIONS

Item No. 34

Justice".

Appointment of Thomas T. Kolbert to position of "Clerk to the Town

Motion by Councilman Swiatek, seconded by Councilman Halicki to table until Special Meeting, July 15, 1970 at 4:00 P.M., Eastern Daylight Saving Time.

Item No. 35 Motion by Councilman Obstarczyk, seconded by Councilman Swiatek----

RESOLVED that John Piekarski, Jr., , Sloan. New York, be hired as a seasonal part time laborer to replace kichard Jachimiak, , Cheektowaga, New York.

## Item No. 35 cont'd

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers

**NAYES:** 

0 ABSENT:

Motion by Councilman Halicki, seconded by Councilman Obstarczyk----Item No. 36

RESOLVED that Lawrence Karpinski, , Cheektowaga. New York, be hired by the Recreation Department for summer employment as a Recreation Attendant with an hourly rate of \$1.75.

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki.

Wasielewski and Meyers

NAYES:

ABSENT: 0

Appointment of six employees for the Recreation Department. Item No. 37

Motion by Councilman Wroblewski, seconded by Supervisor Weber to table until Special Meeting, July 15, 1970 at 4:00 P.M., Eastern Daylight Saving Time.

Appointment of John Krickovich, Item No. 38

, Depew, to the Repair

W S

Garage.

'Tabled to meeting with the Union on July 15, 1970 at 4:00 P.M., Eastern Daylight Saving Time.

Motion by Supervisor Weber, seconded by Councilman Wroblewski----Itam No. 39

WHEREAS emergency repairs were required on sanitary sewers at 55 Harris Court in Sanitary Sewer District #7, while repairs were ordered by the Town Engineer; now therefore be it

RESOLVED that the voucher of Straco, Inc., 1010 Rein Road, Cheektowaga, New York, in the amount of \$249.39 to do the work and furnish the materials for the sewer repairs be approved and ordered paid.

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers

NAYES:

ABSENT:

Motion by Councilman Obstarczyk, seconded by Councilman Halicki----Item No. 40

WHEREAS the Town of Cheektowaga has increased its recognized bargaining units so that presently there are four separate bargaining units to represent various employee groups, and

WHEREAS numerous meetings, conferences, grievance procedures and contract negotiations can reasonably be expected, and

WHEREAS there appears to be a need for a representative or representatives to represent the Town as employer in all such matters; now therefore be it

RESOLVED that the firm of Professional Negotiators, Inc., located at 483 Ellicott Square Building, Buffalo, New York, be, and hereby are, retained as the representatives of the Town Board of the Town of Cheektowaga as employer in collective bargaining with all employer-employee bargaining units of the town, said services to include collective negotiations, conferences, hearing of all grievances, preparation of collective bargaining contracts and to make any and all recommendations to the Town Board relative to the above-mentioned proceedings. The said firm of

#### Item No. 40 cont'd

Professional Negotiators, Inc., shall be paid the sum of \$10,000.00 per year, payable in advance by equal monthly installments, effective immediately. Said payments are to be made out of the General Fund of the Town of Cheektowaga.

Upon Roll Call----

AYES:

Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki, Wasielewski and

Meyers

NAYES:

Supervisor Weber

ABSENT:

Λ

Item No. 41 Motion by Councilman Obstarczyk, seconded by Councilman Wasielewski----

WHEREAS the Town Board has been requested to enter into a long-term commitment with a private contractor for refuse disposal, using a sanitary land fill operation, and

WHEREAS it appears more feasible to explore available alternatives for meeting the Town's immediate and long-term refuse disposal needs; now therefore be it

RESOLVED that the Town Board hold in abeyance any firm contract commitments or proposals for the hiring of a private contractor for refuse disposal at the present time; and be it

FURTHER RESOLVED that the Town Board engage and inquire with the firm named "Ecology and Environments, Inc.", 1122 Union Road, West Seneca, New York as to the feasibility of considering available alternatives for refuse disposal methods.

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers

NAYES:

0

ABSENT:

0

Item No. 42 Motion by Supervisor Weber, seconded by Councilman Wroblewski----

BE IT RESOLVED as follows:

1. The Town of Cheektowaga, Erie County, New York shall convey to the Forks Fire District, Cheektowaga, New York, the following described premises:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York, and being part of Lot 11, Township 11, Range 7 of the Holland Land Company's Survey, more particularly bounded and described as follows:

Commencing at the point of intersection of the easterly line of Nagel Drive produced northerly and the southerly line of South Creek Drive produced westerly as shown on Map Cover 2146 known as Glen Estates Part 3 as filed in the Erie County Clerk's Office;

Thence northerly along said easterly line of Nagel Drive as produced northerly from said point of commencing for a distance of 60-49 feet to the point of beginning;

Thence easterly in a straight line parallel to said southerly line of South Creek Drive as shown on said Map Cover 2146 and 60.0 feet distant northerly therefrom, measured at right angles thereto, for a distance of 300.0 feet to a point;

Thence northerly in a straight line parallel to said easterly line of Nagel Drive as produced northerly for a distance of 41 feet to a point;

Thence westerly in a straight line to a point in the easterly line of Nagel Drive as produced northerly distant 54 feet northerly from said point of beginning;

Thence southerly along said easterly line of Nagel Drive as produced for a distance of 54 feet to the point of place of beginning.

7/6/70

#### Item No. 42 cont'd

which said conveyance shall be made to the Forks Fire District in consideration of said Forks Fire District paying to the Town of Cheektowaga therefor the sum of \$350.00 and which said conveyance shall be without any warranty by the Town of Cheektowaga and the form and terms thereof shall be subject to approval by the Town Attorney and the Supervisor shall execute such deed or deeds or other instruments required to effectuate said conveyance on behalf of the Town of Cheektowaga and to affix thereto the Town Seal where required.

2. This resolution is subject to a permissive referendum under the provisions of Article 7 of the Town Law of New York and shall take effect at the time and in the manner prescribed by Section 91 of said Town Law and Notice of Adoption thereof shall be published by the Town Clerk in the DEPEW HERALD & CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES and shall be posted as required by law.

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers

NAYES:

0

**ABSENT:** 



#### RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

**PUBLISHER** 

#### Cheektowaga 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 week , the first insertion being on the 23dd day of keey 1970, and the last insertion being on the day of ...... 19......, and that not more than six days intervened between any two publications thereof. Kichard & Sumo

Sworn to before me this 270 day of

Notary Public in and for Erie County

CAROL P. BENNETT NOTARY PUBLIC, STATE OF NEW YORK Qualified in Eric County
My Commission Expires Merch 30, 19.2

trict paying to the Town of Cheektowaga therefor the sum of \$350.00 and which said conveyance shall be without any warranty by the Town of Cheektowaga and the form and terms thereof shall be subject to approval by the Town Attorney and the Supervisor shall execute such deed or deeds or other instruments required to effectuate said conveyance on behalf of the Town of Cheektowaga and to affix thereto the Town Seal where required.

2. This resolution is subject to a permissive referendum under the provisions of Article 7 of the Town Law of New York and shall take effect at the time and in the manner prescribed by Section 91 of said Town Law and Notice of Adoption thereof shall be published by the Town Clerk in the DEPEW HERALD & CHEEK TOWAGA NEWS and the CHEEKTOWAGA TIMES and shall be posted as required by law.

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers

0

NAYES: ABSENT:

STATE OF NEW YORK COUNTY OF ERIE

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

**PUBLISHER** 

d in said Town, on the y of July, 1970, at 2:30 p.m. tern Daylight Saving Time, Were: ESENT:

Milel E. Weber, Supervisor kx T. Wroblewski, Councilmen 🖈 E. Swiatek, Councilman

seph R. Obstarczyk, Councilmen Dennid A. Halicki, Councilman nend J. Wasielewski,

Councilman eth J. Meyers, Councilman EVT: 0 tion by Supervisor Weber, aded by Councilman Wrob-

IT RESOLVED as follows: The Town of Checktowaga, County, New York shall by to the Forks Fire Dis-Chasktowigs, New York,

HAT TRACT OR PAR-LAND situate in the of Cheektowaga, County is State of New York and part of Lot 11, Township mpany's survey, more as follows:

 $\mathcal{G}_{\mathcal{K}}^{\mathbf{v}}$ 

g /\$

ncing at the point of tion of the easterly line I Drive produced north-the southerly line of Creek Drive produced as above on Map the course of Gion Es-ert J as filled in the Brie Clerk's Office;

nce northesty along said ly line of Nagel Drive as id northerly from said of commencing for a distof 60.49 feet to the point

e easterly in a straight shows of South Creek Drive as shows on said Map Cover 2146 ad 60.0 feet distant northerly therefrom, measured at right dos thereto, for a distance of for feet to a point;

ence northerly in a straight parallel to said easterly line of Nagel Drive as produced northerly for a distance of 41

Thence westerly in a straight line to a point in the easterly line of Nagel Drive as produced northerly distant 54 feet northerly from said point of begin-

Thence southerly along said easterly line of Nagel Drive as produced for a distance of 54 feet to the point or place of be-

ginning. which said conveyance shall be made to the Forks Fire District in consideration of said Forks Fire District paying to the Town of Cheektowaga therefor the sum of \$350.00 and which said conveyance shall be without any warranty by the Town of Cheektowaga and the form and terms thereof shall be subject to approval by the Town Attorney and the Supervisor shall execute such deed or deeds or other instruments required to effectuate said conveyance on behalf of the Town of Cheektowaga and to affix thereto the

town seal where required. 2. This resolution is subject to a permissive referendum under the provisions of Article ? of the Town Law of New York and shall take effect at the time and in the manner prescribed by Section 91 of said Town Law and Notice of adoption thereof shall be published by the Town Clerk in the DE. PEW HERALD & CHEEKTO-WAGA NEWS and CHEEKTO. WAGA TIMES and shall be posted as required by law,

Seconded by Councilman Wroblewski and duly put to a vote which resulted as follows: Supervisor Weber Voting AYE Councilman Meyers

Voting AYE Councilman Wroblewski Voting AYE

Councilman Swiatek Voting AYE

Councilman Obstarczyk

Voting AYE Councilmen Halicki

which said conveyance shall be made to the Forks Fire District in consideration of said Forks Fire District paying to the Town of Cheektowaga therefor the sum of \$350.00 and which said conveyance shall be without any warranty by the Town of Cheektowaga and the form and terms thereof shall be subject to approval by the Town Attorney and the Supervisor shall execute such deed or deeds or other instruments required to effectuate said conveyance on behalf of the Town of Cheektowaga and to affix thereto the Town Seal where required.

2. This resolution is subject to a permissive referendum under the provisions of Article 7 of the Town Law of New York and shall take effect at the time and in the manner prescribed by Section 91 of said Town Law and Notice of Adoption thereof shall be published by the Town Clerk in the DEPEW HERALD & CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES and shall be posted as required by law.

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers

NAYES:

0

ABSENT:

0

officialists and conveyance on

2. This pholeston is sumper to a permissive referendum under the provisions of Article 7 of the Town Law of New York and shall take effect at the time and in the manner presented by Section 91 of said Town Law and Notice of adoption thereof shall be published by the Town Clerk in the DE-MEW HERALD & CHEEKTO-WAGA NEWS and CHEEKTO-WAGA TIMES and shall be posited as required by law.

Seconded by Councilman Wrothewski and duly put to a volt which resulted as follows: Separation Weber Voting AYE Connectiman Meyers

Voting AYE

Voting AYE
Councilman Swiatek

Voting AYE
Grancilman Obstarczyk

Voting AXE

Councilman Halicki Voting AYE

Councilman Wasielewski
Voting AYE
AYES: 7; NOES: 0; ABSENT: 0

STATE OF NEW YORK )
COUNTY OF ERIE
TOWNSTON TO THE TOWNSTON THE TOW

I RENEDICT T. HOLTZ, Town Clerk of the Town hereinafter described, DO HEREBY CERTI-FY 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 July 6th, 1970, 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 resolution appears at Item No. 42, inclusive of said book.

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

resolution.

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 21st day of July, 1970.

(SEAL)

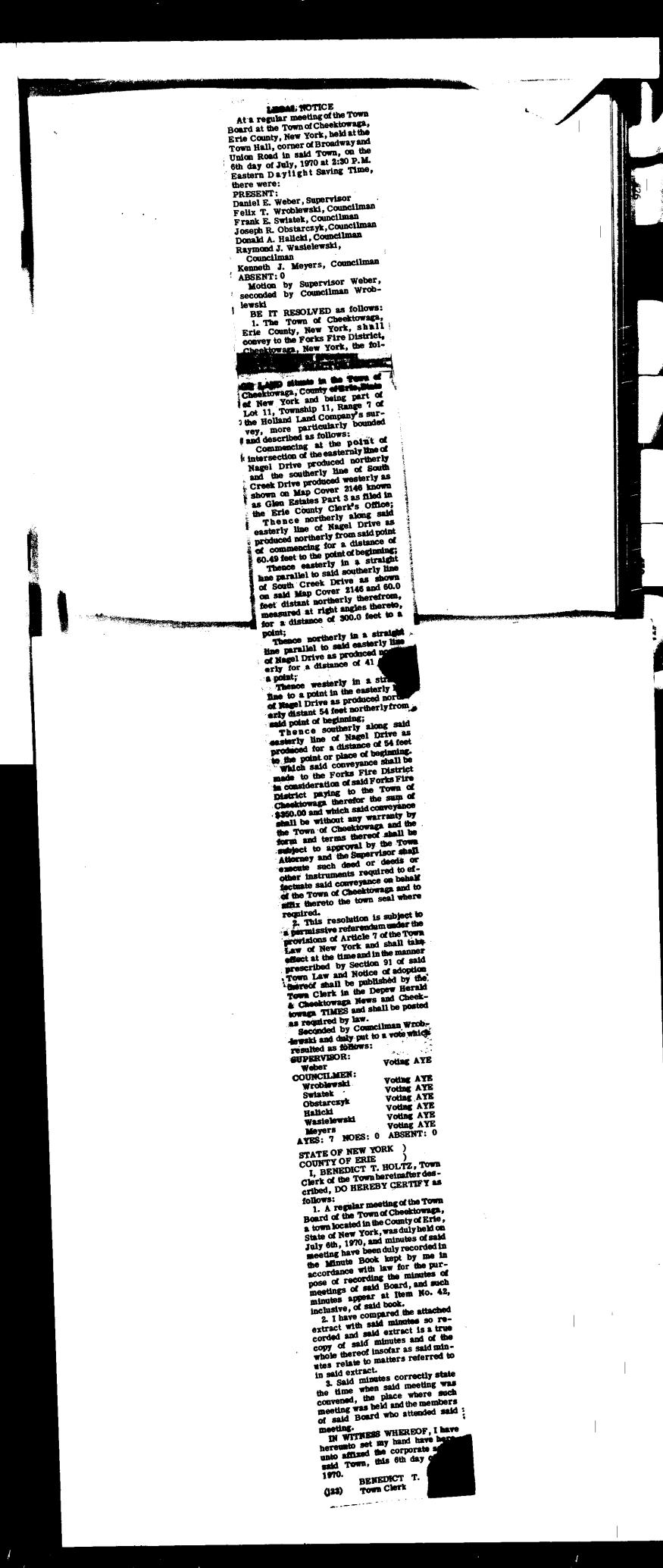
BENEDICT T. HOLTZ Town Clerk

jy23

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

**PUBLISHER** 



STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA

first publication (1978);

That publication (1978);

and that no more than six days intervened between publications.

Tillard Callis

Sworn to before me this 24H

Hory unn Kupinski

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

GLORY ANN KRYSINSKI

NOTARY PUBLIC of made of New York

QUALIFIED : COUNTY

MY COMMISSION EX, ARIS MARCH 30, 19 72

7/6/70

-11-

I, the undersigned Superintendent of Highways of the Town of Cheektowaga, in the County of Erie and State of New York, hereby certify that that portion of the certain town highway, if the same be such, hereinafter designated, has not been opened, or worked, or used as a town highway at any time and particularly for more than six years last past and that the same has been abandoned by the public and is not used as a public highway to wit:

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 Number Twenty-seven (27), Township Eleven (11), Range Seven (7) of the Holland Land Company's Survey and further distinguished as being part of Seaton Avenue, as shown on a map filed in Erie County Clerk's Office under Cover Number 1531, bounded and described as follows:

COMMENCING at the intersection of the westerly line of South Huxley Drive with the northerly line of Seaton Avenue, as shown under Map Cover 1531; thence westerly along the northerly line of Seaton Avenue one hundred twenty-nine and eight hundred ninety-four thousandths (129.894) feet; thence southerly at an interior angle of 87° 52' 43° to the northerly line of Seaton Avenue thirty (30) feet to the south line of Lot Number Twenty-seven (27), Township Eleven (11), Range Seven (7); thence easterly along the south line of Lot Number Twenty-seven (27), Township Eleven (11), Range Seven (7) one hundred twenty-nine and eight hundred ninety-four thousandths (129.894) feet to its intersection with the westerly line of South Huxley Drive; ex tended southerly; thence northerly along the westerly line of Huxley Drive, extended southerly, thirty (30) feet to the place of beginning.

Also, we the undersigned, members of the Town Board of said Town, constituting the whole or a majority thereof, do hereby consent to the making and filing of this certificate and do hereby sign the same.

THEREFORE, pursuant to Section 205 of the Highway Law of New York, said highway is hereby declared to be, and hereby is, abandoned.

DATED: July 6, 1970

ss/	Stanley Bystrak
Town	Superintendent of Highways
ss/	Daniel E. Weber
Super	rvisor
ss/	Kenneth J. Meyers
	ci Iman
ss/	Frank E. Swiatek
Counc	i Iman
ss/	F. T. Wroblewski
	ci lman
••••	
ss/	Raymond J. Wasielewski
	i Iman
ss/	Donald A. Halicki
Counc	ci lman
ss/	Joseph R. Obstarczyk
	i lman

Item No. 44 Consent to abandon a portion of South Prince Drive - (not a resolution)

I, the undersigned Town Superintendent of Highways of the Town of Cheektowaga, in the County of Erie and State of New York, hereby certify that that portion of the certain town highway, if the same be such, hereinafter designated, has not been opened, or worked, or used as a town highway at any time and there is no need or use for said described portion for town highway purposes and is not used as a public highway to wit:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga,

7/6/70

# Item No. 44 cont'd

County of Erie and State of New York, and being part of Lot 43, Township 10, Range 7 and being described as follows: BEGINNING at a point in the south line of South Prince Drive, said point being the northeast corner of Sublot 44, as shown on Map Cover 2269, filed in the Erie County Clerk's Office on July 31, 1968; thence easterly along the south line of South Prince Drive, extended 4.06 feet to the point of curve; thence north easterly along a curve to the left whose radius is 40.45 feet, a distance of 63.54 feet to a point in the east line of Prince Drive, said point being the southwest corner of Sublot 43-A, as shown on Map Cover 2269; thence southeasterly along the southwest line of Sublot 43-A, 171.32 feet to the southeast corner of Sublot 43-A; thence south along the east line of Map Cover 2269, 48.04 feet to the southeast corner of said Map Cover; thence west along the south line of Map Cover 2269, 38.00 feet to a point; thence northwesterly along the east line of Sublot 44, 180.28 feet to the place or point of beginning. Said description is of the southerly end of Prince Drive as shown on Map Cover 2269.

Also, we the undersigned, members of the Town Board of said Town, constituting the whole or a majority thereof, do hereby consent to the making and filing of this certificate and do hereby sign the same.

THEREFORE, pursuant to Section 207 of the Highway Law of New York said highway is hereby declared to be and hereby is abandoned.

DATED: July 6, 1970

ss/ Stanley Bystrak
Town Superintendent of Highways
ss/ Daniel E. Weber
Supervisor
ss/ Kenneth J. Meyers
Counci 1man
·
ss/ Frank E. Swiatek
Counci Iman
ss/ F. T. Wroblewski
Counci Iman
ss/ Raymond J. Wasielewski
Counci Iman
ss/ Donald A. Halicki
Counci Iman
ss/ Joseph R. Obstarczyk
Counci Iman

Item No. 45 Motion by Supervisor Weber, seconded by Councilman Swiatek----

WHEREAS the Town Board held a Public Hearing on the 15th of June, 1970 at 7:00 P.M. for the purpose of considering the application of Niagara Frontier Services, Inc., for the rezoning from C-Retail Business District to CM-General Commercial District of the property commonly known as 454 Dingens Street and no one appeared in opposition, and

WHEREAS the applicant explained that properties adjacent to these lands are zoned for business and presently in operation. It was also pointed out that the proposed restaurant will add to the values of adjoining property and also add to the beauty of the area. It was further noted that the area is presently zoned for restaurants, except that said district does not include the sale of alcoholic beverages. The rezoning will merely give a right to the applicant of selling alcoholic beverages; now therefore be it

RESOLVED that the property commonly known as 454 Dingens Street be, and hereby is, rezoned from C-Retail Business District to CM-General Commercial District, and be it

7/6/70

## Item No. 45 cont'd

FURTHER RESOLVED that the rezoning is conditioned upon the applicant providing proper and sufficient barriers between the subject premises and the residential premises abutting thereto for the purpose of preventing automobiles to infringe upon the abutting residential property, and be it

FURTHER RESOLVED that the zoning map at the Town Clerk's Office be changed accordingly.

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers

NAYES: ABSENT:

0

Item No. 46

Retirement benefits for Police Department.

Withdrawn.

Item No. 47 Motion by Councilman Obstarczyk, seconded by Councilman Halicki----

BE IT RESOLVED that the owners of parcels of land bearing the following descriptions and setting forth the name of each owner and his address as appears upon the assessment roll of this town, are hereby ordered to construct a sidewalk in the street or streets on which their properties abut, in accordance with the ordinance adopted June 6, 1955, and known as the "Sidewalk Ordinance" and the Town Clerk shall give notice of this order by registered mail addressed to each such owners at his aforementioned address, with return receipt requested, and each such letter shall specify that said owner shall construct said sidewalk within thirty (30) days from date of said letter and that if such sidewalk required to be so built shall not have been constructed within said time prescribed, the Town Board will cause the same to be done and audit and pay the expense thereof against the property benefited, as provided in Section 200-a of the Town Law of New York.

John J. Nasca

Buffalo, New York

The Foisset Corp. 1368 Sycamore Buffalo, New York 14211

Modern Home Builders, Inc. 33 Reynolds Road West Seneca, New York 14224

Santin & Affrunti 3685 Harlem Road Buffalo, New York 14215

Cervi Construction 323 North Creek Drive Depew, New York 14043

Sinicki, Edward

Cheektowaga, New York 14225

Cotter, John

Cheektowaga, New York 14225

Willerth, William

Cheektowaga, New York 14225

M.C. 1317 S.L. 22 to 24

S.E. Corner of Genesee and Woodrow P1.

M.C. 2122-2137

S.L. 77

S.E. Corner South Creek and Jamiaca Lane

M.C. 2169 S.L. 115

On Biscayne Drive

M.C. 2169 S.L. 116

On Biscayne Drive

M.C. 2082-2107

S.L. 100

E. Side of Homeworth Parkway

M.C. 492

S.L. 110 (part of)

M.C. 492

S.L. 114 (part of)

M.C. 733

S.L. 8-BL.B

N.W. Corner of W. Sobieski and

Z K

Buell Avenue

STATE OF NEW YORK COUNTY OF ERIE

- Retail Business Dist to CM - General Cemmer-District of the property eted amendment of the Zoning p and Ordinance accordingly,

WHEREAS, the Town Board of Cheektowaga has rendered of Cheektowaga has rendered its decision granting the appli-solition of the petitioner to re-solite from C — Retail Business District to CM — General Com-mercial District the property to the decision of the Town Roard granting the

the Town Board granting the inflication of the petitioner to Dist. to CM — General mercial Dist. be and the spe is hereby confirmed, and

WENTHER RESOLVED by this **Your Board** that the Ordinance adopted December 27, 1989 and as now amended be and the some is hereby amended by changing the Zoning Map so as to change the following described property from that of Retail Business District to Cit — General Commercial District.

DESCRIPTION

454 Dingens Street ALL THAT TRACT OR PARCEL OF LAND located in the Town of Checktowaga, County of Eric and State of New York, being further described as follows:
Being subdivision Lot Nos. 1 and 2 as shown on a certain map filed in the Erie County Clerk's Office on October 9, 1952 under Cover No. 1791. Dated: August 4, 1970 BENEDICT T. HOLTZ

Town Clerk Town of Cheektowaga New York

#### RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

#### **PUBLISHER**

of the

#32

JIOS

101

STATE OF NEW YORK COUNTY OF ERIE

SS.:

Matrict of the property infor described and dirhed amendment of the Zoning o and Ordinance accordingly, WHEREAS, the Town Board Cheektowaga has rendered decision granting the appli-lation of the petitioner to re-one from C — Retail Business District to CM - General Comreial District the property reinafter described, be it the Town Board granting the intelligation of the petitioner to remain the from R — Retail Bus-light Dist. to CM — General Philipped Dist. to LM — General Philipped Dist. be and the e is hereby confirmed, and be it FURTHER RESOLVED by this Town Board that the Ordinance pted December 27, 1969 and now amended be and the ne is hereby amended by changing the Zoning Map so as to change the following describes property from that of

Retail Business District to — General Commercial Dis-

#### RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

#### **PUBLISHER**

of the

# 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 week, the first insertion being on the day of day of and that not more than six days intervened between any two publications thereof.

Sworn to before me this 10 m day of

Notary Public in and for Erie County

CAROL P. BENNETT
MOTARY PUBLIC, STATE OF NEW YORK
Qualified in Eric County
My Commission Expires March 30, 19\_2~

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#32

WHEREAS, the Town Board of the Town of Cheektowaga, Erie County, New York, held a public hearing for the purpose of con-Midering the application of Niagara Frontier Services, Inc. for the rescaling of premises from C-Reinil Business District to CM - Gengrai Commercial District of the property hereinafter described and Gracted amendment of the Zoning and Ordinance accordingly. and Ordinance accordingly,

WHEREAS, the Town Board of ultowage has rendered its licition granting the application of he petitioner to rezone from C-Nitial Business District to CM-General Commercial District the property hereinafter described, be

RESOLVED, that the decision of the Yown Board granting the applination of the petitioner to rezone C-Retail Business Dist. to GR.-General Commerical Dist. be the same is hereby confirmed, and be it

FURTHER RESOLVED by this Town Board that the Ordinance shopted December 27, 1969 and as new amended be and the same is hereby amended by changing the lighting Map so as to change the difference of the control of the hat of C - Retail Business District to CM -General Commercial Disdrici.

#### DESCRIPTION 454 Dingens Street

ALL THAT TRACTOR PARCEL OF LAND located in the Town of Chesktowaga, County of Erie and State of New York, being further described as follows: Being subdivision Lot Nos. 1 and 2 as shown on a certain map filed in the own on a certain map filed in the Rise County Clerk's Office on October 9, 1952 under Cover No. 1791.

sedict T. Holtz, Town Clerk Town of Cheektowaga, New York

Dated: August 4, 1970 (46)

of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for weeks: first publication weeks: first publication and that no more than six days intervened between publications.

Sworn to before me this 10 the day of legest, 1920 (

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

GLORY ANN KRYSINSKI

NOTARY PUBLIC STATE OF NEW YORK
OUALIEUED

QUALIFIED IN EXEL COUNTY

14 COMMISSION EXPIRES MARCH 30, 1922

The second secon

#32

# Item No. 47 cont'd

Cosentino Genesee Corporation

4243 Genesee Street

Cheektowaga, New York 14225

M.C. 733 S.L. 4 On Buell Avenue

Czarnecki, Stephen

Acreage W.S. Buell Avenue

Cheektowaga, New York 14225

Nelson, Gordon A.

Acreage W.S. Buell Avenue

Cheektowaga, New York 14225

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers

**NAYES:** 

ABSENT:

0

Motion by Councilman Obstarczyk, seconded by Councilman Wroblewski----Item No. 48

RESOLVED that permission be granted to the New York State Electric & Gas Corporation to install and remove the following:

### PHEASANT LANE

Install 6 - 7000 lumen mercury vapor lamps (Poles 2-1, 4-1 & 8-1 Line 3473) (Poles 3-1, 6-1 & 10-1 Line 3474)

# TOWN OF CHEEKTOWAGA POLICE AND COURT BUILDING

Install 1 - 20000 lumen mercury unit

Install 7 - 52000 lumen mercury units

(mounted on 32' 6" ornamental steel poles, underground feed)

Install 2 - 20000 lumen mercury units

(mounted on 30' wooden poles, overhead feed)

### JUDITH DRIVE

Install 2 - 7000 lumen mercury units (Poles 1, 2 Line 3298)

#### SOUTHERN PARKWAY

Install 7 - 11000 lumen mercury units (Poles 1/2, 1, 2, 3, 4 Line 457; Poles 5, 6 Line 1247)

#### STRASBOURG DRIVE

Install 5 - 7000 lumen mercury units (Overhead Service Wood Poles - turned pine) (Poles 2-1, 4-1, 6-1, 8-1, 10-1 Line 3465)

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

\*32

Wasielewski and Meyers

NAYES:

ABSENT:

0

Motion by Councilman Obstarczyk, seconded by Councilman Swiatek----Item No. 49

Item No. 49 cont'd

WHEREAS a petition for the improvement of both sides of the public highway situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter more particularly set forth, by the installation of street lighting equipment hereinafter more particularly described, was presented to this Town Board on the 6th day of July, 1970

## PUBLIC HIGHWAY TO BE IMPROVED

Name of Highway

From

То

#22

LeHavre Drive

South lot line of SL 369, MC 2249 then north and then east to east lot line of SL 311, MC 2249 on north side Also west lot line of SL 424 to east lot line of SL 310, MC 2249 on South side

## TYPE OF STREET LIGHTING INSTALLATION

Twnety-nine (29) 3350 lumen electric post top type (Town & Country) mercury units. Estimated cost per year for two years \$13.50 for 50 foot lot

and

WHEREAS Andrew H. Schwenk and Casimir A. Kozminski, 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 said highway to be improved as aforesaid, and

WHEREAS the said highway to be improved as aforesaid is 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, corner of Broadway and Union Road, in said Town of Cheektowaga, on the 20th day of July, 1970, at 7:30 o'clock P.M., Eastern Daylight Saving Time, to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the DEPEW HERALD AND CHEEKTOWAGA NEWS and in the CHEEKTOWAGA TIMES newspapers having a general circulation in the Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing, and shall also be posted on the signboard of the Town maintained pursuant to subdivision six of section thirty of the Town Law of New York not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing.

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers

NAYES:

0

ABSENT:

(Affidavit Next Page)

SS

COUNTY OF ERIE

I, BENEDICT T. HOLTZ, being duly sworn, depose and say:

That I am now and at all times hereinafter mentioned have been the Town Clerk of the Town of Cheektowaga, County of Erie and State of New York.

That on the 10th day of July 1970 acting pursuant to an order and resolution adopted by the Town Board of said Town on July 6 , 1970 , I posted a certified copy of said order and resolution relating to street lighting on LeHarve Drive, on the signboard of the Town maintained pursuant to subdivision six of section thirty of the Town Law of New York.

That said copy so posted was a true and complete copy of the attached copy of said order and certificate published in the DEPEW HERALD AND CHEEKTOWAGA NEWS on \_\_\_\_\_\_ July 9 , 19 70

> BENEDICT T. HOLTZ, Town Clerk.

Sworn to before me this

24th day of July , 19 70.

Shery a Jurnie

#22

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

being duly sworn, deposes and says that he is the

#### **PUBLISHER**

... of the

#22

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 Lef , 19 70 , and the last insertion being on the day of \_\_\_\_\_\_ 19....., and that not more than six days intervened between any two publications thereof.

Sworn to before me this 1355 day of

Notary Public in and for Erie County

CAROL P. BENNETT
ROTARY PUBLIC, STATE OF NEW YORK
Qualified in Eric County
by Commission Expires Merch 30, 19.27

#32

# RICHARD Ģ BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

Councilia

ZZ#

COUNTY OF FRIE

Characteristics of the Characteristics of Character

that a copy of this order, certhed by the Town Clark, be
published at least once in the
Denny Horald & Checktowaga.

These and Checktowaga Times
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Contraction Assessment

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Verification

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section 10 Heater

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have compared the attailed extract with said minded so recorded and said extend is a true copy of said minder and of the whole thereof minder as said minutes relate a santters referred to in said

the time when said meetwas convened, the placetime inch meeting was held and the members of said Board who situated said meeting.

In Witness Whereof, I have hereunto set my hand and have hereunto sell affixed the corporate seal of said Town, this 7th day of July, 1970.

ENEDECT T. HOLTZ, Town Clerk. jy9

\$5.:

#25

#24

104

\_\_\_\_\_\_ E

#31

#32

#3 I

TOWN OF CHEEKTOWAGA COUNTY OF ERIE STATE OF NEW YORK

EXTRACTS FROM MINUTES OF TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Eric County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 6th day of July, 1970, at 2:30 o'clock p.m. Eastern Daylight Saving Time there were: PRISENT

> Supervisor Daniel E. Weber Councilman

Pelix T. Wroblewski Councilman Frank E. Swistok Councilman

Joseph R. Obstarczyk Councilman Donald A. Halicki Councilman

Raymond J. Wasielewski Councilman

Kanneth J. Meyers

ABSENT: 0 s No. 49. Councilman Obsyk-presented the follows chrise and moved its adoption: regulates, a polition for the im-All Lighting District of the A Checktowaga, hereinster rejusticularly set forth, by the interior of street lighting hereinster more par-Metal described, was present-ted. Town Board on the Oli-School, 1970.

POBLIC HIGHWAY

Mighway: Letiavre Drive; is of the of St. 311, MC 2540 424 to east lot line of MC 2249 on south side.

MARING INSTALLATION (Control of Control of C post top type (Town & morcury units. Estimated par for two years \$12.50 Par I

Andrew H. Schwerk, B. F. Janicki, and Casimir A. d, Assessors of mos Cheektowaga, have corabove petition is daly signd sicknowledged in the sau r as a deed to be recorded to demors of more than oneof the entire frontage or on both sides of said highto be improved as aforestid,

EAS, the said highway to city mervin; NOW, THEREFORE,

IT IS HEREBY ORDERED that e Town Board of the Town of Checktowaga meet at the Town (il 9)

Hall, corner of Breadway and Union Road, in said Town of Cheektowaga, on the 20th day of July, 1970, at 7:30 o'clock P.M., Eastern Daylight Saving Time, to hear all persons interested in the subject thereof concerning the same,

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the Depew Heraki and Cheektowaga News and in the Cheektowaga TIMES newspapers having a general circulation in the Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing, and shall also be posted on the signboard of the Town maintained pursuant to subdivision six of section thirty of the Town Law of New York not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing.

Seconded by Councilman Swiatek and duly gut to a vote which resulted as foll

spervisor Weber Voting ATE Councilmen: Mayers Wzoblówski Swiatek

Obstanczyk Malieki Wastelowski AXES: 7 NORS: 0 ABSENT: 9

VOURSAIR VOLINGATE Voting ATE VOURSAYE Voting AYE VolingAYE

STATE OF MEW YORK) COUNTY OF ERIE

L. SKREDECT T. HOLITZ, Town Clork of the Town hereinafter de-

actibit, DO HEREBY CERTIFY as follows:

1. A Regular meeting of the Town of Cheektopage, a town located in the County of Eric, State of New York, was duly hold on July 6, 1970, and minister of said mande been daily recorded in the Missie Book limit by me in accordance with liew for the purpose of re-cording the minutes of meetings of said Board, and such stimutes appear at liem No. 49, inclusive, of said book.

2. I have compared the attached extrapt with said mingles so re-corder and said extract is a true copy of said missies and of the whole thereof issofar as said minutes relate to matters referred to in said extract.

3. Seld minutes correctly state the time when said meeting was convenied, the place where such meeting was held and the members of said Board who after said mooting.

IN WITNESS WHEREOF, I have improved as aforesaid is hereusic set my hand and have sadirely in said Town out- hereunte affixed the corporate seal of my incorporated village or of said Town, this 7th day of July, 1970.

BENEDICT T. HOLTZ, Town Clerk

1

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA

WILLARD C. ALLIS, of the Town of Cheek-towaga, 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 .......

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

Thelard Call

Sworn to before me this

Glacy Cem Krypinsk

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

GLORY ANN KRYSINSKI
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN EXPIRE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19

Item No. 50 Motion by Councilman Obstarczyk, seconded by Councilman Halicki----

WHEREAS a petition for the improvement of both sides of the public highway situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter more particularly set forth, by the installation of street lighting equipment hereinafter more particularly described, was presented to this Town Board on the 6th day of July, 1970

#### PUBLIC HIGHWAY TO BE IMPROVED

Name of Highway

From

То

Gregory Court

East lot line of sub lots 8 and 85 Map Cover 2255 and proceeding west then north, then east

the east lot line of sub lots 34 and 66 Map Cover 2255

#### TYPE OF STREET LIGHTING INSTALLATION

Fourteen (14) 3350 lumen electric post top type (Town and Country) mercury units. Estimated cost \$13.00 per year for two years, 50 foot lot

and

WHEREAS Andrew H. Schwenk and Casimir A. Kozminski, 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 said highway to be improved as aforesaid, and

WHEREAS the said highway to be improved as aforesaid is 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, corner of Broadway and Union Road, in said Town of Cheektowaga, on the 20th day of July, 1970 at 2:30 o'clock P.M., Eastern Daylight Saving Time, to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the Depew Herald and Cheektowaga News and in the Cheektowaga Times newspapers having a general circulation in the Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing, and shall also be posted on the signboard of the Town maintained pursuant to subdivision six of section thirty of the Town Law of New York not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing.

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers

NAYES:

0

ABSENT:

(Affidavit Next Page)

SS

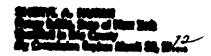
COUNTY OF ERIE

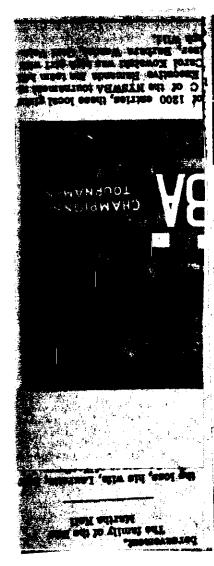
I, BENEDICT T. HOLTZ, being duly sworn, depose and say:

That I am now and at all times hereinafter mentioned have been the Town Clerk of the Town of Cheektowaga. County of Erie and State of New York.

of the fown of Cheektowaga, County of Erie and State of New Yor	·K.
That on theloth day of	July, 19 70,
acting pursuant to an order and resolution adopted by the Town	Board of said Town
on July 6, 1970 , I posted a ce	rtified copy of said
order and resolution relating to street lighting onGregory Cou	ırt,
on the signboard of the Town maintained pursuant to subdivision	six of section thirty
of the Town Law of New York.	
That said copy so posted was a true and complete copy of the	attached copy of said
order and certificate published in the DEPEW HERALD AND	CHEEKTOWAGA
NEWS on July 9, 19 70	
BENEDICT T	•
Town C	lerk.

Sworn to before me this	Λ
244 day of	July , 19 70
Stery La You	mi





RICHARD G. BENNET	T
-------------------	---

being duly sworn, deposes and says that he is the

PUBLISHER

of the

# 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 week, the first insertion being on the week, the first insertion being on the day of and that not more than six days intervened between any two publications thereof.

Sworn to before me this 326 day of

Notary Public in and for Erie County

CAROL P. BENNETT NOTARY PUBLIC, STATE OF NEW YORK Qualified in Eric County to Complesion Expires Monch 38, 1972

420

700

At a regular meeting of the Town Board of the Town Board of the Town Hall, which held at the Town Hall, which of Broadway and Union held in said Town, on the 6th her of July, 1970, at 2:30 o'clock with, Eastern Daylight Saving Time, there were:

Mark E. Weber, Supervisor

Councilment B. Swintek, Councilment B. Obstarczyk,

Councilman

Malicki, Councilman

Malicki, Wasielewski,

J. Meyers, Councilman

tiom No. 50
Connection Chatarczyk proopated the following resolution

Williams S, a petition for the speciment of both sides of a sublic highway gituated in the Town of Checking District more portion of the State of th

Greenery Court from East lot that of sub lots 8 and 85 Map series 2255 and proceeding west that seeth, then east to she that the lots 24 and 1255 notes 24 and

> (14) \$350 human side post top type (Town (150) mercury units. Escont \$13.00 per year (150) years, 50 ft. lot.

MARIE A.S., Andrew H. Sentett, Enery J. Janicki, and Mile A. Kozmieski, assessors that There of Checktowage, and Sentett and acknowledged and acknowledged and acknowledged to previously the owners of the protocology of the control of the entitle is and highway to be impossed in a strength, and

MARKETAR, the said highway to be improved as aforesaid is infinitely entirely in said Town collecte 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, corner of Broadway and Union Road, in said Town of Cheektowaga, on the 20th day of July, 1970, at 7:30 o'clock p.m. Eastern Daylight Saving Time, to hear all persons interested in the subject thereof concerning the same, and

econcerning 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, and Cheektowaga Times
newspapers having a general
eleculation in the Town, not
less than ten (10) nor more
than twenty (20) days before
the date set herein for the
hearing, and shall also be
posted on the signboard of the
Town maintained pursuant to
subdivision six of section thirty
of the Town Law of New York
not less than ten (10) nor more
than twenty (20) days before
the date set herein for the

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

Supervisor Weber,
Voting Aye

Councilman Meyers,
Voting Aye
Councilman Wroblewski,

Voting Aye. Councilman Swiatek,

Voting Aye Countilman Obstarczyk, Voting Aye hn ten (10) nor more venty (20) days before te set herein for the

and shall also to on the significant of the maintained pursuant to defen six of section thirty. Types Law of New York is first ten (10) nor more byenty. (20) days before little set berein for the

conditional duly put to a vote, so soulted as follows:

Voting Aye

seal of said Town, this september T. HOLTZ, Town Clerk.

Councilman

Voting Aye.

AND DESIGNATION OF THE THE MARKET WAS IN

and shall also be

TOWN OF CHESTOWN

At a regular meeting of the Town Board of the Town of Cheektownga, Eric County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 6th day of July, 1970 at 2:30 o'clock p.m., Eastern Dayght Saving Time there were: PRESENT:

Supervisor Daniel E. Weber Councilman

Felix T. Wroblewski Councilman Frank E. Swintek Councilman

Joseph R. Obstarczyk Councilmen Donald A. Halleld Councilmen

Raymond J. Wasielswald Councilman

Kenneth J. Meyers SENT: 0

MASENT: 0
Sees No. 50. Councilmen Character presented the following presented the following printies and moved its adoption: EEREAS, a petition for the overment of both sides of the lighway situated in the Conhied Lighting District of the of Checkieven benefit particularly set forth, by the flation of street lighting mt hereinafter more cularly described, was pre-al to this flown Board on the my of taky, 1910. POSLAC HIGHWAY

TO ME SECRICI SD I Harrier: Greek / Capt Sant for dive of one for Sant for dive of one for Sant for dive of pro-vant base some, days east TYPE OF STREET

Martine Programme Community of the Commu

IREAS Andrew M. I of J. Janett, and Carlings A. plinate, Associates of said Town Spectromage, have cattlified in high to this Roard that the atlanta Men is they signed and acknow-ged in the same maning my a sid to be recorded by the own-y of more than one-half of the five freeings or bounds in bear fire freetage or bounds on both effect as aforestid, and STERMAS, the said highway to

improved as adversal is limited entirely in said Townout-to of any incorporated village or ty Massia; NOW, THEREFORE, Mr. IS RENEBY ORDERSO that Town Board of the Town of stowage meet at the Town Hall, corner of Broadway and Un-Boad, in said Town of Ch rage, on the 20th day of July, 1970, at 2:30 c clock P.M., Eastern Daylight Saving Time, to hear all paraces interested in the subject

seof concerning the same, and TE B FURTHER ORDERED that s copy of this order, certified by Town Clerk, be published at d Checktowaga News and in the Checktowaga TIMES newspapers aving a general circulation in Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing, and shall also be posted on the sighboard of the Town maintained pursuant to subdivision six of section thirty of the Town Law of New York not less than ten (10) nor more than twenty (20) days before the date set herein for the bearing.

Seconded by Councilman Halicki ad duly put to a vote which resuited as follows:

Supervisor Weber Voting AYE

Councilmen: Voting AYE Meyers Voting AYE Wroblewski Swintek Voting AYE Obstarczyk Halicki **Voting AYE** Wasielewski Voting AYE

ABSENT: 0

STATE OF NEW YORK) COUNTY OF ERIE

AYES: 7 NOES: 0

I, BENEDICT T. HOLTZ, Town Clork of the Town hereinafter de-

L A REGULAR meeting of the Town Board of the Town of Checktowaga, a town located in the Cou of Erie, State of New York, was duly held on July 6, 1970, 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 Item No. 50, 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 small of said Town, this 7th day of July, 1970.

BENEDICT T. HOLTZ, Town Clerk

(119)

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

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

and that no more than six days intervened between publications.

GLORY ANN KRYSINSKI

NOTARY PUBLIC STATE OF MENY YORK

QUALIFIED IN EXIE CC

MY COMMISSION EXPIRES MARCH 36, 19 72

Item No. 51 Motion by Councilman Halicki, seconded by Councilman Wroblewski----

BE IT RESOLVED that the following transfer of funds be approved:

素とい

151.84

General Youth Service 03-271-021 Office Expense to 03-271-02 Travel Expense \$500.00

Highway Item 3 05-180-032 to 05-005-026 to 2.78

Item 3 05-005-026 to

05-018-032

Upon Roll Call----

Item 3

AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers

NAYES: 0 ABSENT: 0

Item No. 52 Motion by Councilman Halicki, seconded by Councilman Wroblewski----

BE IT RESOLVED that the following named vouchers and warrants submitted to the Town of Cheektowaga for the period ending July 6, 1970, be and hereby are approved and that the Supervisor pay said warrants:

JND CHE C From		UMBERS To	AMOUNT
Genera1	7143	7285	\$169,690.41
Special Districts	3174	3230	101,055.56
Highway	2423	2471	294,799.75
Part Town	593	609	54,438.05
Trust & Agency	229	231	17,336.79
			\$637,320.56

Upon Roll Call----

AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers

NAYES: O ABSENT: O

#### V. SUSPENSION OF RULES

Item No. 53 Motion by Supervisor Weber, seconded by Councilman Halicki----

RESOLVED that thirty (30) days sick leave, with pay, be granted to Thomas Picciano of , Cheektowaga, New York.

Upon Roll (all----

AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers

NAYES: 0
ABSENT: 0

Item No. 54 Motion by Councilman Swiatek, seconded by Supervisor Weber----

WHEREAS the Department of Housing and Urban Development has made a grant to the Town of Cheektowaga under the Open Spaces Land Program, and

WHEREAS one of the requirements under the Open Spaces Land Program is to obtain two independent appraisals; now therefore be it

#### Item No. 54 cont'd

RESOLVED that the Town Board of the Town of Cheektowaga hereby approves two independent appraisals for the Dartwood Drive Park site.

Upon Roll Call----

AYES: Su

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers

NAYES:

0

ABSENT:

Item No. 55 Motion by Councilman Wasielewski, seconded by Supervisor Weber to adjourn the meeting.

VIRGINIA JANORA Deputy Town Clerk Item No. 1 At a special meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, corner of Broadway and Union Road, in said Town on the 15th day of July, 1970, at 4:00 o'clock P.M., Eastern Daylight Saving Time there were:

PRESENT: Supervisor Daniel E. Weber
Councilman Felix T. Wroblewski
Councilman Frank E. Swiatek
Councilman Joseph R. Obstarczyk
Councilman Donald A. Halicki
Councilman Raymond J. Wasielewski
Councilman Kenneth J. Meyers

#### I. FROM THE TABLE

Item No. 2 Building Permits.

Motion by Councilman Wroblewski, seconded by Supervisor Weber----

RESOLVED that the building applications submitted July 15, 1970 by the Building and Plumbing Department be approved.

Upon Roll Call----

AYES: Super

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers

NAYS:

U

ABSENT:

Appointment of Thomas T. Kolbert to position of "Clerk to the Town

Item No. 3 Justice".

Withdrawn.

Item No. 4 Appointment of seven employees for the Recreation Department.

Motion by Councilman Swiatek, seconded by Councilman Halicki---

RESOLVED that the following be hired by the Recreation Department for summer employment 1970:

#### RECREATION ATTENDANTS - Bathhouse - \$1.50 per hour

Michael Pierowicz.

Mark Dux,

#### RECREATION SUPERVISORS - \$2.00 per hour

Thomas Holtz, Robert Torgalski,

#### RECREATION ATTENDANTS - \$1.75 per hour

Richard Happel, James Kirk,

Michael Drzewiecki,

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers

NAYS:

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ABSENT:

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### II. SUSPENSION OF RULES Authorization for Town Attorney, Deputy Town Attorney and/or Board Members to attend Municipal Affairs Meeting held by the New York State Office for Local Government in Olean, New York, July 22, 1970. Motion by Councilman Wroblewski, seconded by Councilman Swiatek----WHEREAS the New York State Office for Local Government is holding a regional meeting, pertaining to Municipal Affairs, at Olean, New York; be it RESOLVED that the Town Attorney, John V. Rogowski; the Deputy Town Attorney, Robert Miller and/or the members of the Town Board be, and hereby are, authorized to attend said meeting at Olean, New York, on July 22, 1970, and that the reasonable expenses for attending said meeting be paid by the Town of Cheektowaga. Upon Roll Call----AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki, Wasielewski and Meyers NAYS: ABSENT: 0 Item No. 6 Appointment of John Krickovich, , Depew, New York to the Repair Garage. Motion by Councilman Wroblewski, seconded by Councilman Halicki----WHEREAS the Town of Cheektowaga Repair Garage needs additional help due

Town Repair Garage, and be it FURTHER RESOLVED that John Krickovich of , Depew, New York, is hereby appointed to said position at a starting salary of \$3.50 per hour,

to the increased work loads and added automotive equipment; now therefore be it

Upon Roll Call----

effective July 7, 1970.

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki, Wasielewski and Meyers

RESOLVED that the position of Automotive Mechanic be created in the

NAYS: 0

ABSENT:

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Item No. 7 Authorization to appoint two Class B Drivers to the Highway Department.

Motion by Councilman Swiatek, seconded by Councilman Wroblewski----

WHEREAS the Town Highway Superintendent is in need of additional Class B Drivers in his Department, to meet the added work load of the Town, and

WHEREAS said positions have been posted in accordance with the agreement between the Town of Cheektowaga and Local 1026, be it therefore

RESOLVED that the position of Town Motor Equipment Operators, Class B, at the starting rate of \$3.47 per hour be, and hereby are, created.

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers

NAYS:

ABSENT:

0

Authorization for Benedict Kostrzewski, Chief of Police, to attend the Item No. 8 ociation of Chiefs of Police Convention, Albany, New York, July 30, 1970.

Motion by Councilman Halicki, seconded by Councilman Obstarczyk----

#### Item\_No. 8 cont'd

WHEREAS the New York State Association of Chiefs of Police Convention will be held at Albany, New York, and

WHEREAS Benedict Kostrzewski, Chief of Police, has requested to attend said convention, now therefore be it

RESOLVED that said Benedict Kostrzewski be, and hereby is, authorized to attend said convention at Albany, New York, from July 26, 1970 to July 30, 1970 inclusive and that all of his reasonable expenses incurred for attending said convention be paid by the Town of Cheektowaga.

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers

NAYS:

0

ABSENT:

Item No. 9 Formation of Committee regarding Darling & Company.

Motion by Councilman Meyers, seconded by Councilman Halicki---

WHEREAS various residents of the Town of Cheektowaga and the Village of Sloan have previously complained to the Town Board of the nauseating odors emanating from the Darling & Company located at 2000 William Street in the Town of Cheektowaga, and

WHEREAS the Town Board, at a regular Town Board Meeting on July 6, 1970, passed a resolution memorializing and requesting the Erie Couty Board of Legislators to commence ation to close down said operation conducted by Darling & Company, and

WHEREAS it appears feasible that a continuing observation of the operation and a continuous close contact with officials of said Darling & Company be maintained; now therefore be it

RESOLVED that a committee be formed whose members shall consist of Cheektowaga Health Office, Dr. Louis A. Vendetti; all members of Cheektowaga Air Pollution Board; a representative of the labor union organization which represents workers of said plant; representatives of Darling & Company; a number of officials of the Village of Sloan; representative of the Erie County Health Department; and ten (10) residents of the area surrounding said plant, some of said resident members to serve on a rotating basis, and be it

FURTHER RESOLVED that the Cheektowaga Air Pollution Board make immediate arrangements for forming such committee and holding its first organizational meeting, and be it

FURTHER RESOLVED that the resolution of July 6, 1970, referred to herein, remain in full force and effect in its entirety.

Upon Roll Call----

AYES:

Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki, Wasielewski and

Meyers

NAYS:

Supervisor Weber

ABSENT:

0

Item No. 10 Motion by Councilman Obstarczyk, seconded by Councilman Wroblewski----

RESOLVED to replace damaged light standards on Central Boulevard and

Anna Court.

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers

NAYS:

ABSENT:

0

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

BOND RESOLUTION, DATED JULY 15, 1970, AUTHORIZING THE ISSUANCE OF \$225,000 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE ACQUISITION OF APPARATUS FOR USE OF THE CONSOLIDATED REFUSE AND GARBAGE DISTRICT OF SAID TOWN.

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

Section 1. The Town of Cheektowaga, in the County of Erie, shall issue its Serial Bonds of the aggregate principal amount of \$225,000, pursuant to the Local Finance Law of New York, in order to finance the specific purpose hereinafter described.

Section 2. The specific purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution, consists of the acquisition of the following motor vehicles and equipment to be used for the collection, transportation and disposal of the garbage and refuse for the use of the Consolidated Refuse and Garbage District of the Town of Cheektowaga, in the County of Erie, in accordance with an order adopted by the Town Board on March 2, 1970, authorizing the acquisition of such additional apparatus and equipment, to wit:

Seven (7) Packer Trucks at an estimated maximum cost of \$20,000 each

Eight (8) Open Trucks at an estimated maximum cost of \$8,000 each

Two (2) Dempster-Dumpster Type trucks at an estimated maximum cost of \$7,500 each

One (1) Tree Chipper at an estimated maximum cost of \$6,000

Section 3. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board, is \$225,000, and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town, and (e) the proposed maturity of the obligations authorized by this resolution will not be in excess of five years.

Section 4. It is hereby determined that said purpose is an object or purpose described in Subdivision 29 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. 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 published in the DEPEW HERALD AND CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES newspapers having a general circulation in said Town. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money or the provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or if said obligations are authorized in violation of the Constitution of New York.

Section 6. Subject to the terms and conditions of this resolution and of the Local Finance Law, and pursuant to the provisions of Sections 30.00, 50.00 and 56.00 to 60.00, inclusive, of said Law, the power to authorize bond anticipation notes in anticipation of the issuance of the Serial Bonds authorized by this resolution and the renewal of said notes and the power to prescribe the terms, form and contents of said Serial Bonds and said Bond Anticipation Notes, and the power to sell and deliver said Serial Bonds and any Bond Anticipation Notes issued in anticipation of the issuance of such bonds is hereby delegated to the Town Supervisor, the Chief Fiscal Officer of the Town. The Town Supervisor is hereby authorized to sign any Serial Bonds issued pursuant to this resolution and any Bond Anticipation Notes issued in anticipation of the issuance of said Serial Bonds, and the Town Clerk is hereby authorized to affix the corporate seal of said Town to any of said Serial Bonds or any Bond Anticipation Notes and to attest such seal. Each interest coupon representing interest payable on such Serial Bonds shall be authenticated by facsimile

#### Item No. 11 cont'd

signature of the Town Supervisor.

Section 7. This resolution shall take effect immediately upon its

adoption.

Seconded by Councilman Halicki and duly put to a vote which resulted

as follows:

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers

NAYS:

0

ABSENT:

0

(affidavit attached)

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

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

Sworn to before me this 26 aday of

October 2, 1970

Notary Public in and for Erie County

Notary Public, State of Rose Turk.

Qualified in Brie County

My commission expires Mar. 10,19.27

OF TOWN BOARD

At a special 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 15th day of July, 1970, at 4:30 o'clock P.M., Eastern Daylight Saving Time, there were: PRESENT:

Daniel E. Weber, Supervisor Felix T. Wroblewski,

Councilman Frank E. Swiatek, Councilman Kenneth J. Meyers, Councilman Joseph R. Obstarczyk,

Councilman Donald A. Halicki, Councilman Raymond J. Wasielewski,

Councilman

ABSENT: 0

TOWN.

Councilman Wroblewski offored the following resolution and moved its adoption: BOND RESOLUTION, DATED JULY 15, 1970, AUTHORIZING FIRE ESUANCE OF \$225,000 BERIAL BONDS OF THE MOWN OF CHEEKTOWAGA THE COUNTY OF ERIE PERSUANT TO THE LOCAL PERSONNE LAW, TO FINANCE ACQUISITION OF APPA-CONSOLIDATED REFUSE AND CARRAGE DISTRICT OF SAID

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

Section 1. The Town of Checktowaga, in the County of Brie, shall issue its Serial Bonds of the aggregate principal intount of \$225,000, pursuant to Local Finance Law of New York, in order to finance the specific purpose hereinafter des-

Section 2. The specific purpure (hereinafter referred to as to this resolution consists acquisition of the followmotor vehicles and equipat to be used for the collectransportation and disof garbage and refuse for use of the Consolidated se and Garbage District of Town of Cheektowaga, in County of Erie, in accordwith an order adopted by Fown Board on March 2, authorizing the acquisiof such additional apparwind equipment, to wit: ted maximum cost of

et (8) Open Trucks at an maximum cost of (3) Dempster-Dumpster tracks at an estimated

m cost of \$7,500 each maximum cost

exica 3. It is hereby stated the maximum cost of page as estimated by Board, is \$225,000, no money has heretoa authorized to be apbutthe payment of the cost f said purpose, and (c) the n Board plans to finance the out of said purpose entirely funds raised by the issuande of said Serial Bonds, and (d) all such cost is to be paid real property in an area less than the area of the proposed maturity of the obligations authorized by this resolution will not be in as of five years.

Section 4. It is hereby determined that said purpose is an object or purpose described in Subdivision 29 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. 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 CHEEKTOWA-GA NEWS, a newspaper published and having a general circulation in said Town. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money or the provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or if said obligations are authorized in violation of the Constitution of New York,

Section 6. Subject to the terms and conditions of this resolution and of the Local Finance Law, and pursuant to the provisions of Sections 30.00, 50.00 and 56.00 to 60.00, inclus-

at Bonds, and the To rk is hereby authorized to wifty the corporate seal of said Town to any of said Serial **Ponds** or any Bond Anticipation Notes and to attest such seal. Each interest coupon representing interest payable on such Serial Bonds shall be authenticated by facsimile signature of the Town Supervisor.

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

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

Voting Aye Councilman Swiatek Voting Aye Councilman Obstarczyk

Voting Aye Councilman Halicki Voting Aye Councilman Wasielewski

Voting Aye Councilman Meyers Voting Aye AYES: 7; NOES: 0; ABSENT: 0 STATE OF NEW YORK ) COUNTY OF ERIE

I, BENEDICT T. HOLTZ, Town Clerk of the Town hereinafter described, DO HEREBY CERTI-FY as follows:

1. A special 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 July 15, 1970, 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 Item #11, inclusive, of said book.

2. I have compared the attached extract with said minutes so recorded and said

#### Item No. 11 contid

signature of the Town Supervisor.

Section 7. This resolution shall take effect immediately upon its

adoption.

Seconded by Councilman Halicki and duly put to a vote which resulted

as follows:

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers

pend money or the provisions

of law which should be com-

piled with at the date of publication of this resolution are not substantially compiled with

and an action, suit or proceed-ing contesting such validity is

after the date of such publica-tions of it said obligations are

enenced within twenty days

and 56,00 to 60.00, inclus-

at said Law, the power to

injunction Notes issued in anti-

s is hereby delegated to the Supervisor, the Chief Fis-Officer of the Town. The Supervisor is hereby au-

et to prescribe the forms and contents of risi Bonds and said Bond

in antidoution of the is-

NAYS:

ABSENT:

(affidavit attached)

Cherk of the Town hereinafter described, DO HEREBY CERTI-FY as follows:

1. A special meeting of the Town Board of the Town of Checktowage, a town located in the County of Erie, State of New York, was duly held on July 15, 1970, and minutes of mid meeting have been duly recorded in the Minute Book kept by me in accordance with law horized in violation of the for the purpose of recording the infinites of New York.

In said enigations of the for the purpose of recording the infinites of meetings of said Board, and such minutes appear at Item #11, inclusive, of said book. at Item #11, inclusive, of said book. Lew, and pursuant to the

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

Said minutes correctly state the time when said meeting was convened, the place where such meeting was held the place where such meeting was held and the members of said Board to sell and deliver said.

have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 3rd day of September, 1970. (SEAL)

Town Clerk Supervisor is increased. Town Cierk results issued pursuant to this o-22

7/15/70

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At a special 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 15th day of July, 1970 at 4:30 o'clock P.M., Eastern Daylight Saving Time, there were:

PRESENT: Daniel E. Weber, Supervisor COUNCILMEN: Felix T. Wroblewski Frank E. Swiatek Kenneth J. Meyers Joseph R. Obstarczyk Donald A. Halicki Raymond J. Wasielewski ABSENT: 0

\*\*\*\*\*\* Councilman Wroblewski offered the following resolution and moved its adoption:

BOND RESOLUTION, DATED JULY 15, 1970, AUTHORIZING THE ISSUANCE OF \$225,000 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FI-NANCE THE ACQUISITION OF APPARATUS FOR USE OF THE CONSOLIDATED REFUSE AND GARBAGE DISTRICT OF SAID TOWN.

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

Section 1. The Town of Cheektowaga, in the County of Erie, shall issue its Serial Bonds of the aggregate principal amount of \$225,000.00, pursuant to the Local Finance Law of New York, in order to finance the specific purpose hereinafter described.

Section 2. The specific purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution coustons acquisition of the following motor vehicles and equipment to be used for the collection, transportation and disposal of garbage and refuse for the use of the Consolidated Refuse and Garbage District of the Town of Cheektowaga, in the County of Erie, in accordance with an order adopted by the Town Board on March 2, 1970, authorizing the acquisition of such additional apgratus and equipment, to wit: seven (7) Packer Trucks at an estimated maximum cost of

\$20,000 each eight (8) Open Trucks at an estimated maximum cost of \$8,000 each

two (2) Dempster-Dumpster type. trucks at an estima

1. 12.

Section 3. It is hereby stated hat (a) the maximum cost of said purpose, as estimated by the Town Board, is \$225,000 money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town, and (e) the proposed maturity of the obligations authorized by this resolution will not be in excess of five years.

Section 4. It is hereby determined that said purpose is an object or purpose described in Subdivision 29 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. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the Depew Herald and Cheektowaga News, and The Cheektowaga Times, newspapers published and having a general circulation in said Town. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money or the provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or if said obligations are authorized in violation of the Constitution of New York.

Section 6. Subject to the terms and conditions of this resolution and of the Local Finance Law, and pursuant to the provisions of Sections 30.00, 50.00 and 56.00 to 60.00, inclusive, of said Law, the power to authorize bond antici-

m notes in anticipation of the nice of the Serial Bonds authorized by this resolution and the renewal of said notes and the power to prescribe the terms, form contents of said Serial Bonds and said Bond Anticipation Notes, and the power to sell and deliver said Serial Bonds and any Bond Anticipation Notes issued in anticipation of the issuance of such bonds is hereby delegated to the Town Supervisor, the Chief Fiscal Officer of the Town. The Town Supervisor is hereby authorized to sign any Serial Bonds issued pursuant to this resolution and any Bond Anticipation Notes issued in anticipation of the issuance of said Serial Bonds, and The Town Clerk is hereby authorized to affix the corporate seal of the said Town to any of said Serial Bonds or any Bond Anticipation Notes and to attest such seal. Each interest coupon representing interest payable on such Serial Bonds shall be authenticated by facsimile signature of the Town Supervisor.

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

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

Supervisor Weber Voting AYE COUNCILMEN: Wroblewski Voting AYE Swiatek VotingAYE Obstarczyk **Voting AYE** Halicki Voting AYE Wasie**lew**ski Voting AYE Meyers Voting AYE AYES: 7 NOES: 0 ABSENT: 0

STATE OF NEW YORK) COUNTY OF ERIE

I, BENEDICT T. HOLTZ, TOWN Clerk of the Town hereinafter defollows:

1. A special 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 July 15, 1970, 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 Item #11, 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 3rd day of September, 1970.

BENEDICT T. HOLTZ. Town Clerk

(022)

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA

of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for weeks: first publication that the county weeks: last publication than six days intervened between publications.

Traiding ( Marry

Sworn to before me this ......

Slave (or m) NA 100

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

OLORY ANN ERYSINSEI

NOTARY PUBLIC STATE OF NEW YORK

QUALIFIED IN ERIE COUNTY

Y COMMISSION EXPIRES MARCH 30, 1922

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

CAPITAL NOTE RESOLUTION, DATED JULY 15, 1970, AUTHORIZING THE ISSUANCE OF \$10,095.45 CAPITAL NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE INSTALLATION OF LIGHTING STANDARDS.

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 \$10,095.45 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 Note is the purchase of Section 198 of the Town Law of New York, along the highways as hereinafter set forth, to serve the properties on both sides of said highways, to wit: the highways and portions thereof set forth in Schedule marked Schedule "A" hereto attached and made a part hereof.

Section 3. It is hereby stated that (a) the maximum cost of said purpose as estimated by the Town Board is \$10,095.45, 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 from funds raised by the issuance of said Capital Note and

Section 4. It is hereby determined that said purpose is an object or purpose described in Subdivision 35 of Paragraph A of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five 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 and the CHEEKTOWAGA TIMES newspapers published and having a general circulation in said Town. The validity of said Capital Note may be constested 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.

#### SCHEDULE A

a) East side of Eileen Court from northesterly line of sublot 98 to southwesterly line of sublot 230.

West side of Eileen Court from southeasterly line of sublot 33 to northeasterly line of sublot 46.

All on map cover 2224.

- b) East Cavalier Drive from French Road to Marrano Parkway (to and including sublot 37 on the east side and sublot 86 on the west side).
- c) West Cavalier Drive and Marrano Parkway from French Road to in a southerly direction on West Cavalier and then easterly on Marrano Parkway to and including sublots 36 and 37.

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- d) Fradine Drive from French Road to Mayberry Drive West.
- e) Fairelm Lane from Vern Lane to Sandy Lane.

7/15/70

#### Item No. 12 cont'd

- f) Joanne Lane from Vern Lane to Dennis Lane.
- g) Penwood Drive from Bronx Drive to north lot line of sublot 50, Map Cover 2229 on the east side of Penwood Drive and north lot line of sublot 31, Map Cover 2229 on the west side of Penwood Drive.
- h) Grand Prix Drive from French Road to Steven Drive.
- i) Caprice Drive from Grand Prix Drive to Steven Drive.
- j) Sable Palm Drive from Village of Depew Boundary to Crandon Boulevard.
- k) Sandy Lane from west lot line of sublot 140 on the north side and west lot line of sublot 139 on the south side to Fairelm Lane.
- 1) Lordan Drive from French Road to end of street.
- m) Ellsworth Drive from North Creek Drive to Joseph Street.
- n) Danielle Drive from French Road to St. Joan Lane.
- o) Hillwood Drive from Bronx Drive to north lot line of sublot 30, Map Cover 2229 on east side of Hillwood Drive and north lot line of sublot 11, Map Cover 2229 on west side of Hillwood Drive.
- p) Garden Village Drive from French Road southerly to a point 685 feet.
- q) North Creek Drive from Dick Road westerly to west line of sublot 217, Cover 2164 (#80 North Creek Drive)
- r) Zoerb Avenue from Nagel Drive east to Nantucket Drive West.
- s) Cheekwood Drive from Birchwood Drive to Sprucewood Drive.
- t) Samantha Way from Steven Drive to Rondelay Drive.

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

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers

NAYS:

adoption:

wa: ∩

ABSENT:

Councilman Wroblewski presented the following resolution and moved its

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 resolutions; now therefore be it

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

(1) Capital Note of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$10,095.45 shall be issued pursuant to the Capital Note resolution entitled "Capital Note Resolution", dated July 15, 1970. Authorizing the issuance of \$10,095.45 Capital Note of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law, to finance the installation of lighting standards.

Said Capital Notes shall be designated "LIGHTING DISTRICT".

Capital Notes, Series B of 1970". Said Capital Note shall consist of one note of the denomination of \$10.095.45 numbered 1, and shall constitute an issue of Capital Note payable in one installment on October 1, 1971.

7/15/70

-7-

#### Item No. 12 contid

- (2) Said Capital Note shall be dated as of a date or subsequent to July 15, 1970, and shall bear interest from their date at the rate of five and one quarter percent (54%) per annum. The interest on the Capital Note shall be payable on October 1, 1971.
- (3) Both principal of and interest on said Capital Note shall be payable at the MARINE MIDLAND TRUST COMPANY OF WESTERN NEW YORK OF CHEEKTOWAGA, 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) Said Capital Note shall be payable to bearer and shall be convertible into a registered Capital Note. Said Capital Note shall be executed by the Town Supervisor of said Town and shall be attested by the Town Clerk of said Town. Said Capital Note shall be sealed with the seal of said Town.
- (5) The power to prescribe the terms, form and contents of said Capital Note, subject to the provisions of this resolution, are hereby delegated to the Town Supervisor. Said Capital Note shall be sold to the MARINE MIDLAND TRUST COMPANY OF WESTERN NEW YORK OF CHEEKTOWAGA, NEW YORK, at private sale and shall bear an interest rate of five and one-quarter percent (5½%) per annum.
- (6) The faith and credit of the Town of Cheektowaga are hereby pledged to the payment of said Capital Note and the interest thereon as the same become due and payable.

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

AYES:

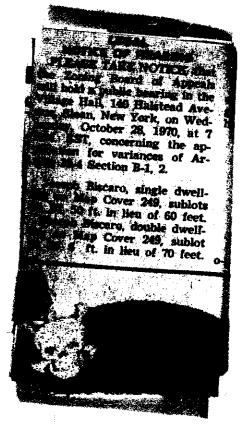
Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki, Wasielewski and Moyers

Wasielewski and Meyers

NAYS: ABSENT:

n n

(Affidavit Next Page)



#### RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

#### **PUBLISHER**

.... of the

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

Sworn to before me this Die day of

October, 19)c

Notary Public in and for Erie County

CAROL P. BENNETT
Notary Public, State of New York
Qualified in Erie County
My commission expires Mar. 30,19.

CAPITAL NOTE TION, DATED JULY 15, 1970, **AUTHORIZING** THE ISSU-ANCE OF \$10,005.45 CAPITAL NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE INSTAL-LATION OF LIGHTING STANDARDS.

BE IT RESOLVED by the Town Board of the Town of Checktowaga, in the County of

ie, as follows: Section 1. The Town of Cheekga, in the County of Erie. issue its Capital Notes of aggregate principal amount 210,095.45 pursuant to the der to finance the specific t or purpose hereinafter ibed.

legion 2. The specific purthereinsfter referred to as riese") to be financed by wance of such Capital in the purchase and intion of street lighting ment pursuant to Section of the Town Law of New along the highways as after set forth, to serve **Properties** on both sides of ighways, to wit. the highand portions thereof set i in Schedule marked dule /'A" hereto attached Schedule marked de a part hereof. SCHEDULE A

agt side of Eileen Court northeasterly line of subto southwesterly line of

side of Eileen Court from sterly line of sublot 33 acetheasterly line of sublot

All on Mad Cover 2224. East Cavalier Drive from meh Road to Marrano Parky (to and including sublot 37 on the east side and sublot 86 the west side)

West Cavalier Drive and arrano Parkway from French, d to in a southerly direction West Cavalier and then eastby on Marrano Parkway to Lincluding sublots 36 and 37 Pradine Drive from French ad to Mayberry Drive West Faireim Lane from Vern Lame to Sandy Lane

D Joanne Lane from Vern Lane in Dennis Lane

Penwood Drive from Bronx Prive to north line of subject 50, Map Cover 2229 on the east side of Penwood Drive and north lot line of sublot 31, Map Cover 2229 on the west side of Penwood Drive

h) Grand Prix Drive from French Road to Steven Drive i) Caprice Drive from Grand Prix to Steven Drive

j) Sable Palm Drive from Village of Depew Boundary to

Cranden k) Sandy Lane from west lot line of sublot 140 on the north side and west lot line of sublot 139 on the south side

elm

l) Lordan Drive from French Road to end of street m) Elisworth Drive from North Creek Drive to Joseph Street n) Danielle Drive from French Road to St. Joan Lane o) Hillwood Drive from Bronx

Drive to north lot line of sublot 30, MC 2229 on east side of Hillwood Dr. and north lot line of sublot 11, MC 2229 on west side of Hillwood Drive

p) Garden Village Drive from French Road southerly to a point 685 feet

a) North Creek Drive from Dick Rd. westerly to west line of sublot 217, Cover 2164 (# 80 North Creek Drive)

r) Zoerb Avenue from Nagel Drive east to Nantucket Drive West s) Cheekwood Drive from Birch-

wood Drive to Sprucewood Drive t) Samentha Way from Steven

Drive to Rondelay Drive

Section 3. It is hereby stated that (a) the maximum cost of said purpose as estimated by the Town Board, is \$10,095.45, and (b) no money has heretofore been authorizeed 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 from funds raised by the insuance of said Capital Notes and

Section 4. It is hereby determined that said purpose is an object of purpose described in Subdivision 35 of Paragraph a of Section 11:00 of the Local Finance Law, and that the period of probable unefulness 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 Cheektowaga Times, a newspaper published and having a general circulation in said Town. The validity of said Capital Notes may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with at the date of publication of this resolution were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution of New York.

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

The capital note resolution published herewith has been

PER SE tested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice; or such obligations were authorized in violation of the provisions of the Constitution of New York.

BENEDICT T. HOLTZ Town Clerk of the Town of Cheektowaga, New York

0-22

15, 1970, AUTHOR IZING THE ISSUANCE OF \$10,095.45 CAPITAL NOTES OF THE TOWN OF CHEEKTOWAGA. IN THE COUNTY OF ERIE, PUR-SUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE INSTAL-LATION OF LIGHTING STAND-ARDS.

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 \$10,095.45 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 thereinafter referred to as "purpoor") to be financed by the isnance of such Capital Note is the mrchase of Section 198 of the Town Law of New York, along the highwas as hereinafter set forth, to serve the properties on both sides of said hghways, to wit: the highways and portions thereof set forth is Schedule marked Schedule "A" hereto attached and made a part hereof.

Section 3. It is hereby stated mat (a) the maximum cost of said purpose as estimated by the Town Board, is \$10,095.45, and (b) no money has heretofore been author-fixed, to be applied to the payment the cost of such purpose, and the Town Board plans to finance cost of said purpose from funds seised by the issuance of said Capital Note and

Section 4. It is hereby determined that said purpose is an object or purpose described in Subdivision 35 of Paragraph a of Section 11.00 of the Local Finance Law, and that e 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 ecess 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 id Local Finance Law, and such publication shall be in the Cheek-! towaga Times, a newspaper published and having a general circulation in said Town. The validity id Capital Notes may be consuch obligations

erised to exp the provisions of how omplied 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.

SCHEDULE A

a) East side of Eileen Court from northeasterly line of sublot 98 to southwesterly line of sublot 230

West side of Eileen Court from southeasterly line of sublot 33 to northeasterly line of sublot 46 All on Map Cover 2224.

b) East Cavalier Drive from French Road to Marrano Parkway (to and including sublot 37 on the east side and sublot 86 on the west

side) c) West Cavalier Drive and Marrano Parkway from French Road to in a southerly direction on West Cavalier and then easterly on Marrano Parkway to and including sublots 36 and 37

d) Fradine Drive from French Road to Mayberry Drive West e) Fairelm Lane from Vern Lane

f) Joanne Lane from Vern Lane to Dennis Lane

to Sandy Lane

g) Penwood Drive from Bronx



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**(**022)

New York.

...

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA

#23

**#3**|

WILLARD C. ALLIS, of the Town of Cheek-towaga, 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 ......

last publication (CT. 22,1976); last publication (CT. 22,1976); and that no more than six days intervened between publications.

Willard C. allis

Hory lenn tryperste

Notary public in and for Enies County, N. Y.

QUALIFIED IN ERIE COUNTY

COMMISSION EXPIRES MARCH 30, 19

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

CAPITAL NOTE RESOLUTION, DATED JULY 15, 1970, AUTHORIZING THE ISSUANCE OF \$18,876.00 CAPITAL NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE INSTALLATION OF LIGHTING STANDARDS.

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 \$18,876.00 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 purchase and installation of street lighting equipment pursuant to Section 198 of the Town Law of New York, along the highways as hereinafter set forth, to serve the properties on both sides of said highways, to wit: the highways and portions thereof set forth in schedule marked Schedule "A" hereto attached and made a part hereof.

Section 3. It is hereby stated that (a) the maximum cost of said purpose as estimated by the Town Board, is \$18,876.00, 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 from funds raised by the issuance of said Capital Notes and

Section 4. It is hereby determined that said purpose is an object or purpose described in Subdivision 35 of Paragraph A of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five 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 and the CHEEKTOWAGA TIMES newspapers 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.

#### SCHEDULE A

- a) Lille Lane from North Seine Drive to West Cherbourg.
- b) Maria Lane from French Road to Marrano Parkway.
- c) North Transithill Drive from Transit Road to South Transithill Drive.
- d) Willow Wood Drive from Marlene Drive to Creek View Drive.
- e) Oakwood Drive from Birchwood Drive to Sprucewood Drive.
- f) Denise Drive from Towers Boulevard to North Seine Drive.
- g) Lynnette Court, Map Cover 2186, from and including sublot 1 to and including sublot 54.
- h) West Cherbourg from North Seine Drive to Towers Boulevard.
- i) West Toulon Drive from Towers Boulevard to North Seine Drive, ending at a

-9 -

#### Item No. 13 cont'd

southerly boundary of sublot 523.

- j) Bronx Drive from Brentwood Drive to Sprucewood Drive.
- k) North Seine from Towers Boulevard on the west to the easterly boundary of sublot 192 as shown on Map Cover 248; North Seine Drive from Towers Boulevard westerly to the northerly boundary of sublot 524 as shown on Map Cover 249.
- 1) East Toulon Drive from Towers Boulevard to East Cherbourg Drive.
- m) South Creek Drive from west line of sublot 76 at corner of Jamaica Lane, Map Cover 2137 and then easterly to the east line of sublot 34, Map Cover 2235, at corner of Nantucket Drive East.

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

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers

NAYS:

0

ABSENT:

0

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:

- (1) Capital Notes of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$18,876.00 shall be issued pursuant to the Capital Note resolution entitled "Capital Note Resolution, Dated July 15, 1970, Authorizing the Issuance of \$18,876.00 Capital Notes of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law, to Finance the Installation of Lighting Standards." Said Capital Notes shall be designated "LIGHTING DISTRICT" Capital Notes, Series D of 1970". Said Capital Notes shall consist of two notes of the denominations of \$9,438.00 and \$9,438.00, numbered 1 and 2, in the order of their maturity, and shall constitute an issue of Capital Notes payable in annual installments on October 1, in each of the years 1971 and 1972.
- (2) Each of said Capital Notes shall be dated as of a date on or subsequent to July 15, 1970, and shall bear interest from their date at the rate of five and one quarter ( $5\frac{1}{4}$ %) per annum. The interest on the Capital Notes shall be payable annually on October 1.
- (3) Both principal of and interest on said Capital Notes shall be payable at the MARINE MIDLAND TRUST COMPANY OF WESTERN NEW YORK OF CHEEKTOWAGA, 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 the 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 prescribed 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 MARINE MIDLAND TRUST COMPANY OF WESTERN NEW YORK OF CHEEKTOWAGA, NEW YORK, at private sale and shall bear an interest rate of five and one-quarter percent  $(5\frac{1}{4}\%)$  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.

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#### Item No. 13 cont'd

as follows:

Seconded by Councilman Halicki and duly put to a vote which resulted

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki, Wasielewski and Meyers

NAYS:

n

ABSENT:

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(Affidavit Attached)

NEW YORK ERIE

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

... of the

Herald and News

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 base day
of land last insertion being on the last insertion being on the

Sworn to before me this 264 day of

arch Jemet

Notary Public in and for Erie County

Notary Public, State of New York

Qualified in Eric County

My commission expires Mar. 30,19.7

7/15/70

-11 -

#### Item No. 13 cont'd

as follows:

Seconded by Councilman Halicki and duly put to a vote which resulted

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers

NAYS: ABSENT: 0

(Affidavit Attached)

STATE OF NEW YORK COUNTY OF ERIE

CN, DATED JULY 15, 1970, WHORKSHIE THE ISSU CE OF \$18,876.00 CAPITAL OTES OF THE TOWN OF MINTY OF ERIE, PURSUANT THE LOCAL FINANCE LAW, TO FINANCE INSTAL-LATION (STANDARDS. LIGHTING OF

BE IT RESOLVED by the Town Board of the Town of tentiowaga, in the County of the action I. The Town of Cheek-

gu, in the County of Erie, ill insie its Capital Notes of sagregate principal amount 133,876.00 pursuant to the Local Finance Law of New York, to finance the specific dust or purpose hereinafter

Section 2. The specific purthereinafter referred to as security to be industrial pre") to be financed by ten is the purchase and in-

ment pursuant to Section of the Town Law of New York along the highways as insiter set forth, to serve hi highways, to wit. the high-

th in Schedule marked sidule "A" hereto attached **imade** a part hereof. SCHEDULE A Lille Lane from North Seine

Drive to West Cherbourg Maria Lane from French Roud to Marrano Parkway North Transit Hill Drive from Transit Road to South Transit Hill Drive

Willow Wood Drive from Mariene Drive to Creek View Drive e) Oakwood Drive from Birch-

wood Drive to Sprucewood Drive ft Denise Drive from Towers

d. to North Seine Drive Lynnette Court, Map Cover 2186, from and including sublot 1 to and including sublot 54 16) West Cherbourg from North Seine Drive to Towers Boulevard t Toulon Drive from Towers Blvd. to North Seine Drive. ending at a southerly boundary of sublot 523

i) Bronx Drive from Brentwood **Drive** to Sprucewood Drive k) North Seine from Towers Blvd, on the west to the easterly boundary of sublot 192 as shown

524 as shown on Map Cover 249 1) East Touch Drive from Towers Blvd. to East Cherbourg

m) South Creek Drive from west line of sublot 76 at corner of Jamaica Lane, Map Cover 2137 and then easterly to the east line of sublot 34, Map Cover 2235, at corner of Nantucket Drive East

Section 3. It is hereby stated that (a) the maximum cost of said purpose as estimated by the Town Board, is \$18,876.00, and (b) no money has heretofore been authorizeed 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 from funds

raised by the issuance of said Capital Notes and Section 4. It is hereby deter-

mined that said purpose is an obect or purpose described in Subdivision 35 of Paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of: said purpose is five 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 Cheektowaga Times, 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

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

BENEDICT T. HOLTZ Town Clerk of the Town of Cheektowaga. New York

IZING THE ISSUANCE OF \$18,876.00 CAPITAL NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE INSTALLATION OF LIGHTING STANDARDS.

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 \$18,876,00 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 thereinafter referred to as "purpose") to be financed by the issuance of such Capital Notes is the purchase and installation of street lighting equipment pursuant to Section 196 of the Town Law of New York, along the highways as hereinanter set forth, to serve the properties on both sides of said highways, to wit: the highways and portions thereof set forth in Schedule marked Schedule "A" herein attached and made a part hereof.

Section 3. It is hereby stated that (a) the maximum cost of said purpose as estimated by the Town Board, is \$18,876.00, and (b) no makey has heretofore been authorated to be applied to the payment the cost of such purpose, and (c) the Town Board plans to finance the cost of said purpose from funds raised by the issuance of said Capital Notes and

Section 4. It is hereby determined that said purpose is an object or marpose described in Subdivision is of Paragraph a of Section 11.00 the Local Finance Law, and that the period of probable usefulness of said purpose is five years. Section 5. It is hereby determined the proposed material of th

man the proposed maturity of the obligations authorized by this resolution will not be in excess of the years.

Section 6. This resolution shall published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the Cheektowaga Times, 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 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.

SCHEDULE A
a) Lille Lane from North Seine
Drive to West Cherbourg

b) Maria Lane from French Road . to Marrano Parkway

c) North Transit Hill Drive from Transit Road to South Transit Hill Drive

d) Willow Wood Drive from Marlene Drive to Creek View Drive e) Oakwood Drive from Birchwood Drive to Sprucewood Drive

f) Denise Drive from Towers Blvd. to North Seine Drive g) Lynnette Court, Map Cover

2186, from and including sublot 1 to and including sublot 54
h) West Cherbourg from North Seine Drive to Towers Boulevard

Seine Drive to Towers Boulevard
i) West Toulon Drive From
Towers Blvd. to North Seine Drive,
ending at a southerly boundary of
sublot 523

j) Bronx Drive from Brentwood Drive to Sprucewood Drive.

k) North Seine from Towers Blvd. on the west to the easterly boundary, of sublot 192 as shown on MC 248; North Seine from Towers Blvd. westerly to the north1) East Toulon Drive from Towers Blvd. to East Cherbourg Drive

m) South Creek Drive from west line of sublot 76 at corner of Jamaica Lane, Map Cover 2137 and then easterly to the east line of sublot 34, Map Cover 2235, at corner of Nantucket Drive East

The capital note resolution published herewith has been adopted on July 15, 1970, and the validity of the obligations authorized by such capital note resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice; or such obligations were authorized in violation of the provisions of the Constitution of New York.

BENEDICT 7, HOLTZ, TOWN CLERK of the Town of Cheektowaga, New York.

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### Item No. 13 cont'd

as follows:

Seconded by Councilman Halicki and duly put to a vote which resulted

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

NAYS:

ABSENT:

(Affidavit Attached)

STATE OF NEW YORK COUNTY OF ERIE TOWN OF CHEEKTOWAGA

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

weeks: and that no more than six days intervened between publications.

Millard C. Allis Sworn to before me this 26th

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

GLORY ANN KRYSINSKI

NOTARY PUBLIC STATE OF NEW YORK

MY COMMISSION EXPIRES MARCH 30, 1972

Item No. 14 Councilman Wroblewski presented the following resolution and moved its adoption: CAPITAL NOTE RESOLUTION, DATED JULY 15, 1970, AUTHORIZING THE ISSUANCE OF \$4,361.61 CAPITAL NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE INSTALLATION OF LIGHTING STANDARDS. BE IT RESOLVED by the Town Board of the Town of Cheektowaga, in the County of Erie, as follows: Section 1. The Town of Cheektowaga, in the County of Erie, shall issue its Capital Notes of the aggregate principal amount of \$4,361.61 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 purchase and installation of street lighting equipment pursuant to Section 198 of the Town Law of New York, along the highways as hereinafter set forth, to serve the properties on both sides of said highways, to wit: the highways and portions thereof set forth in schedule marked Schedule "A" hereto attached and made a part hereof. Section 3. It is hereby stated that (a) the maximum cost of said purpose as estimated by the Town Board, is \$4,361.61, 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 from funds raised by the issuance of said Capital Notes and Section 4. It is hereby determined that said purpose is an object or purpose described in Subdivision 35 of Paragraph A of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five 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 and the CHEEKTOWAGA TIMES newspapers 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; of 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. SCHEDULE A a) Gary Lane from Borden Road to Borden Road. b) Sugnet Drive from Cleveland Drive south to Fontaine. Seconded by Councilman Halicki and duly put to a vote which resulted as follows: Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki, AYES: and Wasielewski and Meyers NAYS: ABSENT: 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 notes authorized by said Capital Note resolution; now therefore be it -12 -7/15/70

### Item No. 14 cont'd

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

- (1) Capital Notes of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$4,361.61 shall be issued pursuant to the Capital Note resolution entitled "Capital Note Resolution, Dated July 15, 1970, Authorizing the Issuance of \$4,361.61 Capital Notes of the Town of Cheektowaga in the County of Erie, pursuant to the Local Finance Law, to Finance the Installation of Lighting Standards. Said Capital Notes shall be designated LIGHTING DISTRICT." Capital Notes, Series E of 1970." Said Capital Notes shall consist of two notes of the denominations of \$2,180.80 and \$2,180.81, numbered 1 and 2, in the order of their maturity, and shall constitute an issue of Capital Notes payable in annual installments on October 1, in each of the years 1971 and 1972.
- (2) Each of said Capital Notes shall be dated as of a date on or subsequent to July 15, 1970, and shall bear interest from their date at the rate of five and one-quarter percent  $(5\frac{1}{4}\%)$  per annum. The interest on the Capital Notes shall be payable annually on October 1.
- (3) Both principal of and interest on said Capital Notes shall be payable at the MARINE MIDLAND TRUST COMPANY OF WESTERN NEW YORK OF CHEEKTOWAGA, 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 the 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 prescribed 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 MARINE MIDLAND TRUST COMPANY OF WESTERN NEW YORK OF CHEEKTOWAGA, NEW YORK, at private sale and shall bear an interest rate of five and one-quarter percent (54%) 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 Halicki and duly put to a vote which resulted as follows:

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki, Wasielewski and Meyers

NAYS:

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ABSENT:

(Affidavit Next Page)

STATE OF NEW YORK

Cheektowa York, held corner of B Road in said day of July, P.M., Easts

## RICHARD G. BENNETT

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

# 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 week, the first insertion being on the \_\_\_\_\_day Cletake, 19 %, and the last insertion being on the ...... day of ...... 19....., and that not more than six days intervened between any two publications thereof. Keland S. James

#30

Sworn to before me this 26 to day of

Notary Public in and for Erie County

CAROL P. BENNETT
Notary Public, State of New York
Qualified in Eric County
My commission expires Mar. 30,19.2

145

Agres .

TOWAGA, N. THE OF ERIE, PURSUANT E LOCAL FINANCE TO FINANCE INSTALL LIGHTING OF MARDS.

IT RESOLVED by the Board of the Town of wage, in the County of de follows:

Section 1. The Town of Cheek-terings, in the County of Eric, that have its Capital Notes of the aggregate principal amount of \$4,361.61 pursuant to the Lacal 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 purchase and installation of street lighting equipment pursuant to Section 198 of the Town Law of New

Ways and forth in Sthedule marked Schedule "A" hereto attached and made a part hereof. SCHEDULE A

Lingary Lane from Borden Road Lingarden Road Segnet Drive from Cleveland ta) the maximum cost of purpose as estimated by the Town Board, is \$4,361.61, and (b) no meney has heretofore been authorizeed 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 from funds raised by the issuance of said Capital Notes and

Section 4. It is hereby determined that said purpose is an obect or purposé described in Subdivision 35 of Paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five 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 Cheektowaga Times, a newspaper published and having a general circulation in said Town. The validity of said Capital

to expend money, or the labour of law which should be complied with at the date of e publication of this resolution were not substantially complied with, and an action, suit or proc ceeding contesting such validities e is commenced within twenty: days after the date of such publication; or if said obligations are authorized in violais tion of the provisions of the Constitution of New York, and Section 7. This resolution shall take effect immediately upon

its adoption. The capital note resolution

published herewith has been adopted on July 15, 1970 and the validity of the obligations authorized by such capital note resolution may be hereafter point tested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Pric, is not authorised to expand 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 proceed. ing 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.

BENEDICT T. HOLTZ Town Clerk of the Town, of Cheektowaga, New York

IZING THE ISSUANCE OF \$4,361.61 CAPITAL NOTES OF THE LOCAL FINANCE LAW, TO FINANCE THE INSTALLATION OF LIGHTING STANDARDS. #23

BE IT RESOLVED by the Town Board of the Town of Cheektowaga, in the County of Erie, as follows:
Section 1. The Town of Cheektowaga, in the County of Erie, shall issue its Capital Notes of the aggregate principal amount of \$4,361.61 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 purchase and installation of street lighting equipment pursuant to Section 198 of the Town Law of New York, along the highways as hereinafter set forth, to serve the properties on both sides of said highways, to wit: the highways and portions thereof set forth in Schedule marked Schedule "A" hereto attached and made a part hereof.

Section 3. It is hereby stated that (a) the maximum cost of said purpose as estimated by the Town Board, is \$4,361.61, 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 from funds raised by the isuance of said Capital Notes and

Section 4. It is hereby determined that said purpose is an object or purpose described in Subdivision 35 of Paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five 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 \$1.60 of said Local Finance Law, and such publication shall be in the Cheek-towaga Times, a newspaper published and having a general circulation in said Town. The validity of said Capital Notes may be considered only if such obligations are

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.

SCHEDULE A

a) Gary Lane from Borden Road
to Borden Road
b) Sugnet Drive from Cleveland

Drive south to Fontaine The capital note resolution published herewith has been adopted on July 15, 1970, and the validity of the obligations authorized by such capital note resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice; or such obligations were authorized in violation of the provisions of the Constitution of New York.

BENEDICT T. HOLTZ, TOWN CLERK of the Town of Cheektowaga, New York.

(022)

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA

of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is a literature. The said of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for weeks: first publication of the Cheektowaga Times, a publication of the Cheektowaga Times, a publicated slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for weeks: first publication of the Cheektowaga Times, a publicated slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for weeks: first publication of the Cheektowaga Times, a publicat

Sworn to before me this 26th

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

GLORY ANN RRYSINSKI
NOTARY PUBLIC STATE OF NEW YORK
OF ALIFIED IN ERF. SONTY

LE COMMISSION EXPIRES MARCH 30, 19/2

CAPITAL NOTE RESOLUTION, DATED JULY 15, 1970, AUTHORIZING THE ISSUANCE OF \$3,110.70 CAPITAL NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE INSTALLATION OF LIGHTING STANDARDS.

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 Note of the aggregate principal amount of \$3,110.70 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 Note is the purchase and installation of street lighting equipment pursuant to Section 198 of the Town Law of New York, along the highways as hereinafter set forth, to serve the properties on both sides of said highways, to wit: the highways and portions thereof set forth in schedule marked Schedule "A" hereto attached and made a part hereof.

Section 3. It is hereby stated that (a) the maximum cost of said purpose as estimated by the Town Board, is \$3,110.70, 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 from funds raised by the issuance of said Capital Note.

Section 4. It is hereby determined that said purpose is an object or purpose described in Subdivision 35 of Paragraph A of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five 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 and in the CHEEKTOWAGA TIMES newspapers 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.

#### SCHEDULE A

- a) Fairoaks Lane from Sandy Lane to Fairelm Lane.
- b) Suzette Drive from French Road south, thence east, thence north, thence west to Suzette Drive.
- c) Theresa Drive from French Road south S/L 82 on the west side & S/L 26 on the east side and including these lots MC 2230.
- d) Fath Road from Union Road to Lot 20, Map 483.
- e) Dee Terrace from Nancy Place, east to Eileen Court.

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

AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki, Wasielewski and Meyers

NAYS: 0
ABSENT: 0

7/15/70

### Item No. 15 cont'd

Councilman Wroblewski presented the following resolution and moved its

WHEREAS the Capital Note resolution hereinafter referred to has taken effect in accordance with law and the Town Board desires to make provisions for the issuance of the notes authorized by said Capital Note resolution; now therefore be it

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

- (1) Capital Note of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$3,110.70 shall be issued pursuant to the Capital Note resolution entitled "Capital Note Resolution, Dated July 15, 1970. Authorizing the Issuance of \$3,110.70 Capital Note of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law, to Finance the Installation of Lighting Standards. Said Capital Notes Shall be Designated "LIGHTING DISTRICT" Capital Note of \$3,110.70 numbered 1, and shall constitute an issue of Capital Note payable in one installment on October 1, 1971.
- (2) Said Capital Note shall be dated as of a date on or subsequent to July 15, 1970, and shall bear interest from their date at the rate of five and one-quarter percent  $(5\frac{1}{4}\%)$  per annum. The interest on the Capital Note shall be payable annually on October 1, 1971.
- (3) Both principal of and interest on said Capital Note shall be payable at the MARINE MIDLAND TRUST COMPANY OF WESTERN NEW YORK, Cheektowaga, 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) Said Capital Note shall be payable to bearer and shall be convertible into a registered Capital Note. Capital Note shall be executed by the Town Supervisor of said Town and shall be attested by the Town Clerk of said Town. Said Capital Note shall be sealed with the seal of said Town.
- (5) The power to prescribed the terms, form and contents of said Capital Note, subject to the provisions of this resolution, are hereby delegated to the Town Supervisor. Said Capital Note shall be sold to MARINE MIDLAND TRUST COMPANY OF WESTERN NEW YORK, Cheektowaga, New York, at private sale and shall bear an interest rate of five and one-quarter percent (54%) per annum.
- (6) The faith and credit of the Town of Cheektowaga are hereby pledged to the payment of said Capital Note and the interest thereon as the same become due and payable.

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

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki, Wasielewski and Meyers

NAYS:

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ABSENT:

(Affidavit Next Page)

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being duly sworn, deposes and says that he is the

**PUBLISHER** 

.... of the

# Herald and News

Cheektowaga and Lancaster, and published at Depew,
New York, that notice of which the annexed printed
slip taken from said newspaper, is a capy, was inserted and published therein once a week for
week, the first insertion being on the week of the first insertion being on the day of day
of day of day

Sworn to before me this 264 day of

October, 19/2

Notary Public in and for Erie County

CAROL P. BENNETT
Notary Public, State of New York
Qualified in Eric County
My commission expires Mar. 30,19.2~

WARTAL NOTE RESOLU-SE DATED JULY 15, 1970, TORIZING THE ISSU-OF \$3,110.70 CAPITAL ES OF THE TOWN OF EKTOWAGA, IN THE THE MITY OF ERIE, PURSUANT THE LOCAL FINANCE TO FINANCE INSTAL-OF COARDS. LIGHTING

RESOLVED by the

The RESOLVED by the Sound of the Town of Resolution in the County of Resolution in the der to finance the specific ignet or purpose hereinafter

Section 2. The specific purhereinafter referred to as (puec") to be financed by instance of such Capital s is the purchase and inrtion of street lighting ment pursuant to Section of the Town Law of New ek, along the highways as properties on both sides of highways, to wit the highes and portions thereof set in Schedule marked dule "A" hereto attached made a part hereof.

SCHEDULE A Pairoaks Lane from Sandy to Fairelm Lane Succette Drive from French d south, thence east, thence

with, thence west to Suzette

c) Theresa Drive from French Road south S/L 82 on the west de & S/L 26 on the east side and including these lots MC 2230 d) Fath Road from Union Road to Lot 20, Map 483

Dee Terrace from Nancy

Section 3. It is hereby stated that (a) the maximum cost of inid purpose as estimated by the Town Board, is \$3,110.70, and (b) no money has heretofore been authorizeed to be appiled to the payment of the cost of such purpose, and (c) the Town Board plans to finance the cost of said purpose from funds raised by the issuance of said Capital Notes and

Section 4. It is hereby determined that said purpose is an obect or purpose described in Subdivision 35 of Paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five 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 Cheektowaga Times, 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

being duly sworn, deposes and says that he is the

**PUBLISHER** 

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Section 5. It is hereby deterplied that the proposed matcelly of the obligations authoring this resolution will not the excess of five years.

calion 6. This resolution shall ished in full by the Town of said Town, together a notice in substantially form prescribed by Section We said Local Finance Law, ph publication shall be in promon pronoution shall be in beer published and having a circulation in said Town. walidity of said Capital may be contested only if bligations are authorized object or purpose for to expend money, or the consisted with at the date of sot substantially complied a, and an action, suit or prong contesting such validity commenced within twenty se after the date of such tions are authorized in viola-tion of the provisions of the Complitution of New York.
Section 7. This resolution shall

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

The capital note resolution this has been poted on July 15, 1970 and validity of the obligations orized by such capital note olution may be hereafter connted only if such obligations e authorized for an object rpose for which the Town Cheektowaga, in the County Erie, is not authorized to exmoney, or if the provisions which should have been miled with as of the date of dication of this notice were substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice; or such obligations were authorized in violation of the provisions of the Constitution of New York.

> BENEDICT T. HOLTZ Town Clerk of the Town of Cheektowaga, New York

19 15, 1910, AUTHORIZ. ING THE ESUANCE OF \$3,1:0.70 CAPITAL NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE INSTALLATION OF LIGHTING STANDARDS.

BE IT RESOLVED by the Town and 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 Note of the aggregate principal amount of \$3,110.70 pursuant to the Local Finance Law of New York, in order finance the specific object or purpose hereinafter described.

Section 2. The specific purpose (hereinafter referred to as "purre<sup>50</sup>) to be financed by the istace of such Capital Note is the trchase and installation of street ghting equipment pursuant to Secm 198 of the Town Law of New Fork, along the highways as hereafter set forth, to serve the roperties on both sides of said lighways, to wit: the highways and ortions thereof set forth in Schedie marked Schedule "A" hereto attached and made a part hereof.

Section 3. It is hereby stated hat (a) the maximum cost of said purpose as estimated by the Town Meard, is \$3,110.70, and (b) no ney has heretofore been authorazed 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 from funds raised by the issuance of said Capital Note and

Section 4. It is hereby determinod that said purpose is an object er purpose described in Subdivision 35 of Paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five

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 Cheektowaga Times, a newspaper published and having a general circulation in said Town. The validity of said Capital Motes may be contested only if such obligations are authorized for a object or purpose for which sai Town is not authorized to expend money, or the provisions of law which should be complied with at the date of publication of this mere not subwith and an action, suit

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ecotos e My 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. SCHEDULE A

a) Fairoaks Lane from Sandy Lane to Fairelm Lane

b) Suzette Drive from French Road south, thence east, thence

north, thence west to Suzette Drive. c) Theresa Drive from French Road south S/L 82 on the west side & S/L 26 on the east side and including these lots MC 2230

d) Fath Road from Union Road

to Lot 20, Map 483

e) Dee Terrace from Namcy Place, east to Eileen Court

The capital note resolution published herewith has been adopted on July 15, 1970, and the validity of the obligations authorized by such capital note resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the

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.

SCHEDULE A
a) Fatroaks Lane from Sandy
Lane to Fatrelm Lane

b) Suzette Drive from French Road south, thence east, thence north, thence west to Suzette Drive.

c) Theresa Drive from French Road south S/L 82 on the west side & S/L 36 on the east side and including these lots MC 2230

d) Fath Road from Union Road to Lot 20, Map 483 (a) Dee Terrace from Nancy

Piace, east to Eileen Court
The capital note resolution published herewith has been adopted on July 15, 1970, and the validity of the obligations authorized by the capital note resolution may be self-table? contested only if such eligations were authorized for an object or purpose for which the Pounci Checktowaga, in the County of Erte, is not authorized to expend allowing or if the provisions of law with his of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such walldity 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.

BENEDICT T. HOLTZ, TOWN CLERK of the Town of Cheektowaga, New York.

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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 .......

first publication October 22,1970; last publication October 22,1970; and that no more than six days intervened between publications.

Willard C. Ollis Sworn to before me this 26 th day of October 1970 Blay and Kupinsk

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

GLORY ANN KRYSINSKI NOTARY PURE OF NEW YORK QUALIFICATION ERIE COUNTY MY COMMISSION EXPIRES MARCH 36 18

Item No. 16 Motion by Councilman Wroblewski, seconded by Councilman Obstarczyk to adjourn the meeting.

BENEDICT T. HOLTZ Town Clerk

7/15/70

Cheektowaga, New York July 20, 1970

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, corner of Broadway and Union Road, in said Town on the 20th day of July, 1970 at 7:30 o'clock p.m., Eastern Daylight Saving Time there were:

PRESENT: Daniel E. Weber

Vaniel E. Weber
Felix T. Wroblewski
Joseph R. Obstarczyk
Donald A. Halicki
Raymond J. Wasielewski
Kenneth J. Meyers

Supervisor Councilman Councilman

Councilman Councilman

Councilman

ABSENT: Frank

Frank E. Swiatek

Councilman

Also present were: Benedict T. Holtz, Town Clerk; John V. Rogowski, Town Attorney; Robert Miller, Deputy Town Attorney; Chester Bryan, Town Engineer; Ronald Norman, Tax Receiver; Benedict T. Kostrzewski, Chief of Police; Andrew Schwenk, Chairman, Board of Assessors, Ted Skowron, Highway Engineer.

Supervisor Weber opened the Meeting with a prayer

#### I. PUBLIC HEARINGS

Item No. 2 This being the time and place advertised for a public hearing on the proposed improvement of both sides of the public highway situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter more particularly set forth, by the installation of street lighting equipment hereinafter more 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 HIGHWAY TO BE IMPROVED

Name of Highway

From

<u>To</u>

LeHarve Drive

South lot line of SL 369, MC 2249 then north and then east to east lot line of SL 311, MC 2249 on north side, Also west lot line of SL 424 to east lot line of SL 310, MC 2249 on south side.

### TYPE OF STREET LIGHTING INSTALLATION

Twenty-nine (29) 3350 lumen electric post top type (Town & Country) mercury units.

Estimated cost per year for two years - \$13.50 for 50 foot lot

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.

Motion by Councilman Obstarczyk, Seconded by Councilman Wroblewski

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

### PUBLIC HIGHWAY TO BE IMPROVED

Name of Highway

From

<u>To</u>

LeHarve Drive

South lot line of SL 369 MC 2249 then north and then east to east lot line of SL 311, MC 2249 on north side Also west lot line of SL 424 to east lot line of SL 310, MC 2249 on south side.

7/20/70

-1-

#### TYPE OF STREET LIGHTING INSTALLATION

Twenty-nine (29) 3350 lumen electric post top type (Town & Country) mercury units. Estimated cost per year for two years - \$13.50 for 50 foot lot.

and heard all persons interested in the subject thereof; NOW, THEREFORE,

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

- (a) that such petition is signed and acknowledged as required by law and is otherwise sufficient, and
- (b) that it is in the public interest to grant in whole the relief sought, and be it

FURTHER RESOLVED, that such petition is hereby approved and the installation of such street lighting equipment along said highway is hereby authorized and that the Town Board is hereby authorized to purchase and to have installed said street lighting equipment, 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 (10) days after the adoption thereof, in conformity with Section 195 of the Town Law.

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Obstarczyk, Halicki,

Wasielewski and Meyers.

NAYES:

0

ABSENT:

Councilman Swiatek

Item No. 3 This being the time and place advertised for a public hearing on the proposed improvement of both sides of the public highway situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter more particularly set forth, by the installation of street lighting equipment hereinafter more 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 HIGHWAY TO BE IMPROVED

Name	of	Highway	

#### <u>From</u>

To

Gregory Court

East lot line of SL 8 and 85, MC 2255 and proceeding west then north then east

the east lot line of SL 34 and 66, MC 2255

#### TYPE OF STREET LIGHTING INSTALLATION

Fourteen (14) 3350 lumen electric post top type (Town & Country) mercury units. Estimated cost - \$13.00 per year for two years per 50 foot lot

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.

Motion by Councilman Obstarczyk, Seconded by Councilman Halicki

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

PUBLIC HIGHWAY TO BE IMPROVED

#### Item No. 3 cont'd

Name of Highway

From

To

Gregory Court

East lot line of SL 8 and 85, MC 2255 and proceeding west then north then east the east lot line of SL 34 and 66, MC 2255

#### TYPE OF STREET LIGHTING INSTALLATION

Fourteen (14) 3350 lumen electric post top type (Town & Country) mercury units. Estimated cost - \$13.00 per year for two years per 50 foot lot.

and heard all persons interested in the subject thereof; NOW, THEREFORE

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

- (a) that such petition is signed and acknowledged as required by law and is otherwise sufficient, and
- (b) that it is in the public interest to grant in whole the relief sought, and be it

FURTHER RESOLVED, that such petition is hereby approved and the installation of such street lighting equipment along said highway is hereby authorized and that the Town Board is hereby authorized to purchase and to have installed said street lighting equipment, 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 (10) days after the adoption thereof, in conformity with Section 195 of the Town Law.

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Obstarczyk, Halicki

Wasielewski and Meyers.

NAYES:

0

ABSENT:

Councilman Swiatek

# II GENERAL COMMUNICATIONS

Item No. 4
N.Y.S. Department of Environmental Conservation - Wastewater Treatment Plant #5 Annual Sampling by State Regional Chemist.
Referred to Chester Bryan, Town Engineer

Item No. 5 Cheektowaga Central School District No. 1 - confirm appointment of Mr. Richard Juda as Trustee to Board of Education of Cheektowaga Central School District.

Received and Filed

Item No. 6 Southline Homeowners Association - request a resolution be presented to purchase land for Dartwood Drive Park.

Received and Filed

Local 1026 - Grievance Article XV Section 3 and Article XVII Section 2 (b)

Referred to Town Board and Negotiating Firm.

Item No. 8 Petition from Residents of Anthony Avenue - regarding violation of Zoning Ordinance Article 11.

Referred to John Rogowski, Town Attorney and Benedict Kostrzewski, Chief of Police.

Petition from Mr. & Mrs. Gordon - to operate a Trailer Court at Item No. 9 785 Bennett Road. Received and Filed - opposed to installing side-Item No. 10 Stephen Czarnecki, walk on his property. Referred to Chester Bryan, Town Engineer III DEPARTMENTAL COMMUNICATIONS Motion by Councilman Wroblewski, Seconded by Councilman Wasielewski Item No. 11 RESOLVED, that the Building Applications submitted on July 20, 1970 be approved. UPON ROLL CALL.... Supervisor Weber, Councilmen Wroblewski, Obstarczyk, Halicki, AYES: Wasielewski and Meyers. NAYES: Councilman Swiatek ABSENT: Assessors Office - Water District #9 Item No. 12 Referred to Town Board Assessors Office - Sanitary Sewer District #3 Item No. 13 Referred to Town Board Benedict Kostrzewski - authorization to advertise for bids for Item No. 14 Police Cars. Motion by Councilman Wasielewski, Seconded by Councilman Wroblewski RESOLVED, that the Town Clerk is directed to publish a NOTICE TO BIDDERS in the Cheektowaga Times and in the Depew Herald & Cheektowaga News Newspaper on July 23, 1970 for the furnishing of Eight (8) Chevrolet Four Door Sedans (BelAir) 1971 models or equivalent and Three (3) 1971 - Chevrolet Four Door Station Wagon (Townsman, or equivalent with Trade-in of Eight (8) 1969 Chevrolet Four (4) Door Sedans, Two (2) 1969 Chevrolet Four (4) Door Station Wagons and One (1) 1969 Chevrolet Van 108. MOTICE TO BIDDERS Scaled proposals will be received and considered by the Town Board of the Town of Checktowaga, on August 3, 1970, at 2:30 o'clock p.m., Eastern Daylight Saving Time, at the Town Hall, corner of Broadway and Union Road for the furnishing of Eight (8) 1971 Chevrolet Four (4) Door Sedans (BelAir) or equivalent, and Three (3) 1971 Chevrolet Four (4) Door Station Wagon Townsman, or equivalent with Trade-in of Eight (8) 1969 Chevrolet Four (4) Door Sedans, Two (2) 1969 Chevrolet Four (4) Door Station Wagons and One (1) 1969 Chevrolet Van 108. Information for bidders and specifications may be obtained from Chief of Police Benedict L. Kostrzewski at his office in sakd Police and Court Building. In order to be considered, all bids must be filed with the undersigned Town Clerk prior to the opening thereof. BENEDICT T. HOLTZ

UPON ROLL CALL....

Supervisor Weber, Councilmen Wroblewski, Obstarczyk, Halicki

Wasielewski and Meyers.

NAYESe

ABSENT: Councilman Swiatek

7/20/70

AYES:

t 2:30 o'clock p.m., Eastern Daylight Saving Time, at the Town Hall, corner of Broadway and Union Road for the furnishg of Right (8) 1971 Chevrolet four (4) Door Sedans (BelAir) equivalent, and Three (3) 1971 Cheyrolet Four (4) Door e Wagon Townsman, or uivalent with Trade-in of tht (8) 1969 Chevrolet Four 4) Door Sedans, Two (2) 1969 Devrolet Four (4) Door Stawagons and One (1) 1969 wrolet Van 108. Information for bidders and eifications may be obtained on Chief of Police Benedict L. strzewski at his office in said mand Court Building. weder to be considered, all must be filed with the ungned Town Clerk prior to pening thereof. BENEDICT T. HOLTZ Town Clerk

d: July 21, 1970 shed: July 23, 1970

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

**PUBLISHER** 

of the

# Herald and News

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 week, the first insertion being on the day of day
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the day of day of

Sworn to before me this 274 day of

July 19/0

Notary Public in and for Erie County

CAROL P. BENNETT
MOTARY PUBLIC, STATE OF NEW YORK
Qualified in Eric County
My Commission Expires March 30, 19 2

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Sealed proposals will be re-ceived and considered by the Town Board of the Town of Cheektowaga, on August 3, 1970 at 2:30 o'clock p.m., Eastern Daylight Saving Time, at the Town Hall, corner of Broadway and Union Road for the farnishing of Eight (8) 1971 - Chev-rolet Four (4) Door Sedans (BelAir) or equivalent, and Three (3) 1971 or equivalent, and Three (3) 1971 Chevrolet Four (4) Door Station
Wagon Townsman, or equivalent
with Trade-in of Eight (8) 1969
Chevrolet Four (4) Door Sedans,
Two (2) 1969 Chevrolet Four(4)
Door Station Wagons and One (1) 1969 Chevrolet Van 108. Information for bidders and spe-

effications may be obtained from Chief of Police Benedict L. Kos-traewski at his office in said Police

and Court Building.

In order to be considered, all hids must be filed with the undersigned Town Clerk prior to the opening thereof.

BENEDICT T. HOLTZ,

Town Clerk

(123) ----

ì.

STATE OF NEW YORK COUNTY OF ERIE TOWN OF CHEEKTOWAGA

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

and that no more than six days intervened between publications.

Willard C. allis

Sworn to before me this 2440

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

GLORY ANN KRYSINSKI

NOTARY PUBLIC POLYTY OF NEW YORK QUALIFIED 114 DRED COUNTY

MY COMMISSION EXPIRES MARCH 30, 1072

Chester Bryan - award of bid for Television Inspection of sanitary Item No. 15 sewers.

Motion by Councilman Wasielewski, Seconded by Councilman Halicki

WHEREAS, bids were duly received on July 6, 1970 as the result of advertisement therefor, for Sealing and Television Inspection of Sanitary Sewers and said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated July 16, 1970, Now Therefore

BE IT RESOLVED, that the contract for the aforesaid Sealing and Television Inspection of Sanitary Sewers, as recommended by the Town Engineer, be and the same hereby is awarded to Penetryn System, Inc., for their unit bid price of \$1.25/ft. TV Inspection, \$5.00/joint sealing, and \$1.95/gal. grouting material as the lowest responsible bidder meeting specifications.

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Obstarczyk, Halicki

Wasielewski and Meyers.

NAYES: ABSENT:

Councilman Swiatek

Item No. 16 Name Signs.

Stanley Bystrak - authorization to advertise for bids for Street

Motion by Councilman Wroblewski, Seconded by Councilman Wasielewski

RESOLVED, that the Town Clerk is directed to publish a NOTICE TO BIDDERS in the Cheektowaga Times and in the Depew Herald & Cheektowaga News Newspaper on July 23, 1970 for the furnishing of new Street Signs for the year August 1, 1970 to August 1, 1971 for use in the Highway Department.

> LEGAL NOTICE TO SIDDERS

SEALED PROPOSALS WILL **RE** RECEIVED, publicly read and considered by the Town Board on the 3rd day of August, 1970, at 2:30 P.M., E.D.S.T., at the Town Hall, Broadway & Union Road, Cheektowaga, New York, for the furnishing of Street Name Signs, Dead End Signs, U-Posts and 2" Galvanized Pipe.

Bids to be submitted in opaque envelopes plainly marked: "BID FOR STREET NAME SIGNS, DEAD END SIGNS, U-POSTS AND 2" GALVANIZED PIPE FOR THE TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT."

Non-collusion forms must be signed and submitted with bids. Said bids to be firm bids.

Information for bidders and specifications and bid sheets may be obtained from STAN-LEY BYSTRAK, Superintendent of Highways, in the office of the Highway Department located at 3145 Union Road, Cheektowaga, New York

BENEDICT T. HOLTZ

Town Clerk jy23

UPON ROLL CALL.... AYES:

Supervisor Weber, Councilmen Wroblewski, Obstarczyk, Halicki,

Wasielewski and Meyers.

ABSENT:

Councilman Swiatek

(Affidavit on Next Page)

SE RECEIVED, publicly seed and considered by the Town Boigt on the large day of August 1970, at 2:30 P.M., E.D.S.T., at the Town Hall, Broadway & Union Road, Cheektowaga, New York, for the furnishing of Street Name Signs, Doad End Signs, U-Posts and 2" Galvanized Piec.

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Mile to be submitted in spague envelopes plainly marklife: "RID FOR STREET NAMEREGNS, DEAD END SIGNS, UPORTS AND 2" GALVANIZED
PORTS FOR THE TOWN OF
CHESKTOWAGA HIGHWAY
LEFARTMENT."

Non-collusion forms must be tigned and submitted with bids. Said bids to be firm bids.

Information for bidders and specifications and bid sheets may its obtained from STAN-LEY BYSTRAK, Superintendent of Highways, in the office of the Highway Department located at 1145 Union Road, Cheektowaga, New York.

BENEDICT T. HOLTZ Town Clerk

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KI CIT	AKU	G.	BENI	WI-TT

being duly sworn, deposes and says that he is the

**PUBLISHER** 

of the

# Herald and News

Sworn to before me this 224 day of

Notary Public in and for Erie County

CAROL P. BENNETT
MOTARY PUBLIC, STATE OF NEW YORK
Qualified in Eric County
My Commission Expires March 30, 19 2>

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SEALED PROPOSALS.WILL BE
ENCEIVED publicly reed and condecred by the Town Board on the
End day of August, 1970 at 2:30
P.M., E.D.S.T., at the Town Hall,
Brindway and Union Road, Cheektownga, New York for the furnishing of Street Hame Signs, Dead End Signs, U-Posts and Z' Galvanized

Pine. eleges plainly marked:

PRO FOR STREET NAME
POSTS AND 2" GALVANIZED
STREET POSTS AND 2" GALVANIZED
POSTS AND

intermation for bidders and spe-minutes and bid sheets may be obtained from STANLEY BY-STRAK, Superintendent of High-ways, in the office of the Highway Department located at 3145 Union Bond, Cheektowaga, New York. BENEDICT T. HOLTZ, Town Clerk

(123)

#24

STATE OF NEW YORK COUNTY OF ERIE TOWN OF CHEEKTOWAGA

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Eric, 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 .......

first publication why 23,1970; last publication why 23,1970; and that no more than six days intervened between publications.

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

GLORY AND HOMSDORT

A STATE OF THE STA

NOTARY BURGARD OF STATE YORK QUA.

MY COMMISS.

STATE OF NEW YORK COUNTY OF ERIE

Church Chouse and serve as a serv

## RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

. of the

# Herald and News

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

Sworn to before me this low day of

Notary Public in and for Erie County

CAROL P. BENNETT
MOTARY PUBLIC, STATE OF NEW YORK
Qualified in Eric County
My Commission Expires March 30, 19 2

Item No. 17 as Town High

ORIVE and To and the Depo Clerk's Off

UPON ROLL CA

MAYES: ABSENT:

Item No. 18

authorized Highways, I thru 18, 19

UPON ROLL C

AYES:

MAYES: ABSENT:

Item No. 19

of Losson

UPON ROLL (

WAYES: ABSENT:

Item No. 20

Item No. 2

Item No. 2

highway si hereinafte equipment on the 20t

Name of Hi

<sup>Janine</sup> Cou

7/20/70

STATE OF NEW YORK COUNTY OF ERIE

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

line of Loopen Road tine of m line of Loosen Road the cost line of said 52, 435.60 feet; thence erallel with the center posen Road, 400 feet to t line of said Lot No. 52: utherly along the east searcherry atong the east said Lot No. 52 to the falling of said Lot No. 52, 18 leet; thence westerly into southerly lines of said Nos. 52 and 53, 1522.62 feet ed and 1526.31 feet measto a point in the south of said Lot No. 53 distant 30 feet easterly from the bwest corner of said Lot No. which point is also the south-descript of lands conveyed to library by deed recorded in County Clerk's Office in 225 of Deeds at page 367; w northerly parallel with st line of said Lot No. 53 along the east line of lands reved to Peter Loriz by M deed, 1304.49 feet to distant 435.67 feet southerly in the said east line of Peter Lortz's land from the mt of intersection of the center time of Loosen Road with the said east line of Peter Lortz's issed; thence easterly parallel with the center line of Loosen pad, 737.23 feet to a point dismt 435.60 feet southerly from the point of beginning in a line drawn parallel to the east line of said Lot No. 52 through said point of beginning; thence mortherly parallel to the east. line of said Lot No. 52, 435.60

to the point or place of beginning, containing 45.405 acres of land more or less. At south side of Lossen Road, east of 1007 Losson Road and amending the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinances of the Town of the Town of Cheektowaga, New

York. All parties in interest and citizens will be given an opportunity to be heard in regard to such proposed application
BY ORDER OF THE TOWN

BOARD Daniel E. Weber Supervisor Felix T. Wroblewski Councilman Frank E. Swiatek Councilman Joseph R. Obstarczyk Councilman Donald A. Halicki Councilmen

**Stanley** Item No. 17 as Town Highways.

Motion b

RESOLV ED DRIVE and TOURS COURT and the Deputy Town Att Clerk's Office.

UPON ROLL CALL.... Supervis

AYES:

Wasielew

NAYES:

Council<sub>I</sub> ABSENT:

Item No. 18

Stanley |

Falls.

Motion b

RESOLVED authorized to attend th Highways, Inc. to be he thru 18, 1970 with all

UPON ROLL CALL....

AYES:

Supervis Wasielew

Counciln

MAYES:

ABSENT:

Item No. 19

Motion b

Rezoning

**RESOLVED** 

of Losson Road be held

UPON ROLL CALL....

AYES:

Supervis and Wast

WAYES: ABSENT:

Counci In

Item No. 20

Dr. Loui Received

Item No. 21 Supervis

Item No. 22 Motion t

WHEREAS, highway situated in the

hereinafter more partid equipment hereinafter on the 20th day of July

wille of Highway

Janine Court

7/20/70

STATE OF NEW YORK COUNTY OF ERIE

Lot No. 52, 435.60 or place of legin-45.405 acres of

the Zoning Map and ce accordingly, pursuant-ion 10.00 of the Zoning ides of the Town of vis of Checktowagn, New

erties in interest and will be given an opposito be heard in regard to supposed application ORDER OF THE TOWN

> eliz T. Wroblewski rank B. Swietok Joseph R. Obstarczyk Donald A. Halicki Raymond J. Wasielewskii Coopeilman

Kenneth J. Meyers Town Clerk

DRIVE and T and the Dep Clerk's Off

Item No. 17 as Town Hig

UPON ROLL C AYES:

NAYES: ABSENT:

Item No. 18 Falls.

authorized Highways, thru 18, 19

UPON ROLL AYES:

MAYES: ABSENT:

Item No. 1

of Losson

UPON ROLL AYES:

MAYES: ABSENT:

Item No. 2

Item No. 2

Item No. 2

highway si hereinafte equipment on the 201

Name of H

Janine Cou

7/20/70

Item No. 17 Stanley Bystrak - acceptance of Michelle Drive and Tours Court as Town Highways.

Motion by Supervisor Weber, Seconded by Councilman Wasielewski

RESOLVED that the Town of Cheektowaga hereby accepts MICHELLE ORIVE and TOURS COURT as Town Highways as the same is described in the deed and the Deputy Town Attorney is directed to record said deed in the Erie County Clerk's Office.

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Obstarczyk, Halicki

Wasielewski and Meyers.

NAYES:

ABSENT:

Councilman Swiatek

Item No. 18

Stanley Bystrak - authorization to attend conference in Niagara

Falls.

Motion by Councilman Wasielewski, Seconded by Councilman Obstarczyk

RESOLVED, that Stanley Bystrak, Highway Superintendent is hereby authorized to attend the New York State Conference of Town Superintendents of Highways, Inc. to be held at Treadway Inn, Niagara Falls, N.Y. on September 15 thru 18, 1970 with all reasonable expenses to be paid by the Town.

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Obstarczyk, Halicki

Wasielewski and Meyers.

NAYES:

**:** 

ABSENT:

Councilman Swiatek

Item No. 19 Rezoning - South side of Losson Road, west of Horonine Drive

Motion by Councilman Wroblewski, Seconded by Councilman Wasielewski

RESOLVED, that the Public Hearing for the rezoning on the southside of Losson Road be held on the 17th of August, 1970 at 7:00 p.m..

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Obstarczyk, Halicki, Meyers

and Wasielewski.

MAYES:

0

ABSENT:

Councilman Swiatek

Item No. 20

Dr. Louis Vendetti - report for June

Received and Filed

Item No. 21

Supervisors Comments

#### IV RESOLUTIONS

Item No. 22 Motion by Councilman Obstarczyk, Seconded by Councilman Wroblewski

WHEREAS, a petition for the improvement of both sides of the public highway situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter more particularly set forth, by the installation of street lighting equipment hereinafter more particularly described, was presented to this Town Board on the 20th day of July, 1970.

PUBLIC HIGHWAY TO BE IMPROVED

Name of Highway

From

To

Janine Court

Denise Drive, thence south, thence southeasterly, thence north to Denise Drive. Further described as MC 2248, SL 138 to 172 inclusive, plus 180 and 181.

### Item No. 22 cont'd

### TYPE OF STREET LIGHTING INSTALLATION

Seventeen (17) Heritage #302 Dual Mantle Gas Lights. Estimated cost per year per lot for two years, \$24.27

and

WHEREAS Andrew H. Schwenk, and Casimir A. Kozminski, 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 said highway to be improved as aforesaid, and

WHEREAS, the said highway to be improved as aforesaid is 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, corner of Broadway and Union Road, in said Town of Cheektowaga, on the 3rd day of August, 1970 at 2:30 o'clock p.m., Eastern Daylight Saving Time, to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the DEPEW HERALD AND CHEEKTOWAGA NEWS and in the CHEEKTOWAGA TIMES newspapers having a general circulation in the Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing.

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Obstarczyk, Halicki

Wasielewski, and Meyers.

NAYES:

0

ABSENT:

Councilman Swiatek

(Affidavit on Next Page)

STATE OF NEW YORK

SS

COUNTY OF ERIE

I, BENEDICT T. HOLTZ, being duly sworn, depose and say:

That I am now and at all times hereinafter mentioned have been the Town Clerk of the Town of Cheektowaga, County of Erie and State of New York.

> BENEDICT T. HOLTZ, Town Clerk.

Sworn to before me this

24th.

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VIRGINIA JANORA

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## RICHARD G. BENNETT

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

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 J3hd day ey, 1970, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_ 19......, and that not more than six days intervened between any, two publications thereof.

Sworn to before me this 274 day of

Notary Public in and for Erie County

CAROL P. BENNETT NOTARY PUBLIC, STATE OF NEW YORK Qualified in Eric County

My Commission Expires March 30, 19\_2~

#### RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

**PUBLISHER** 

..... of the

CONTRACTS FROM REALITIES

At a regular meeting of the Town Board of the Town of Checktowaga, Eric County, New York, held at the Town Hall, corner of Broadway and Union Read, in said Town on the 20th day of July, 1970, at 7:30 o'clock p.m., Eastern Daylight Saving Time, there were:

PRESENT:

Daniel E. Weber, Supervisor Felix T. Wroblewski,

Prank E. Swiatek, Councilman Joseph R. Obstarczyk,

Councilman Desild A. Halieki, Councilman Raymond J. Wakielewaki,

Councilman Remeth J. Meyers,

ABSENT: 0

thum No. 22
Constituting Contact the Sollowing resolution
and snoved its adoption:

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4.1

WaterAA, a petition for the selection of both sides of the selection of both sides of the selection of the s

Court from Danise thence south, thence sterty, thence north to Brive. Further described 2248, SL 138 to 172 inplus 160 and 181.

Des Mantle Gas Lights, Estimated that per year per lot for two years, \$24.27.

THEREAS, Andrew B.

Schools, Henry J. Janicki, and
Cadmir A. Kozminski, assessors
of said Town of Cheektowaga,
being certified in writing to this
light signed and acknowledged
in the same manner as a deed
to be recorded by the owners of
more than one-half of the endicates of said highway to be im-

second as aforesaid, and second A.S. the said highway he hered entirely in said Town entirely of any incorporated village or city therein; NOW, THEREFORE.

that the Town Board of the Town of Cheektowaga meet at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga, on the 3rd day of August, 1970, at 2:30 o'clock p.m. Eastern Daylight Saving Time, 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, and Cheektowaga Times newspapers having a general circulation in the Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing, and shall also be posted on the signboard of the Town maintained pursuant to subdivision six of section thirty of the Town Law of New York not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing.

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

Voting Aye

Councilman Meyers, Voting Aye Councilman Wroblewski,

Voting Aye

Councilman Swiatek,

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# 52

CONCETTING UNE BRILLE, PAR YORK 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, and Cheektowaga Times newspapers having a general circulation in the Town, not less than ten (10) nor more then twenty (20) days before the date set herein for the hearing, and shall also be posted on the signboard of the Town maintained pursuant to subdivision six of section thirty of the Town Law of New York not less than ten (10) nor more than twenty (20) days before the date set herein for the

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

Councilman Meyers, Voting Aye Councilman Wrohiewski, Voting Aye

Councilman Swiatek, Voting Aye Councilman Obstarczyk,

Voting Aye Councilman Halicki, Voting Aye

Crasciinan Wasielewski, Voting Aye AYES: T: NOES: 0; ABSENT: 0 Now York )

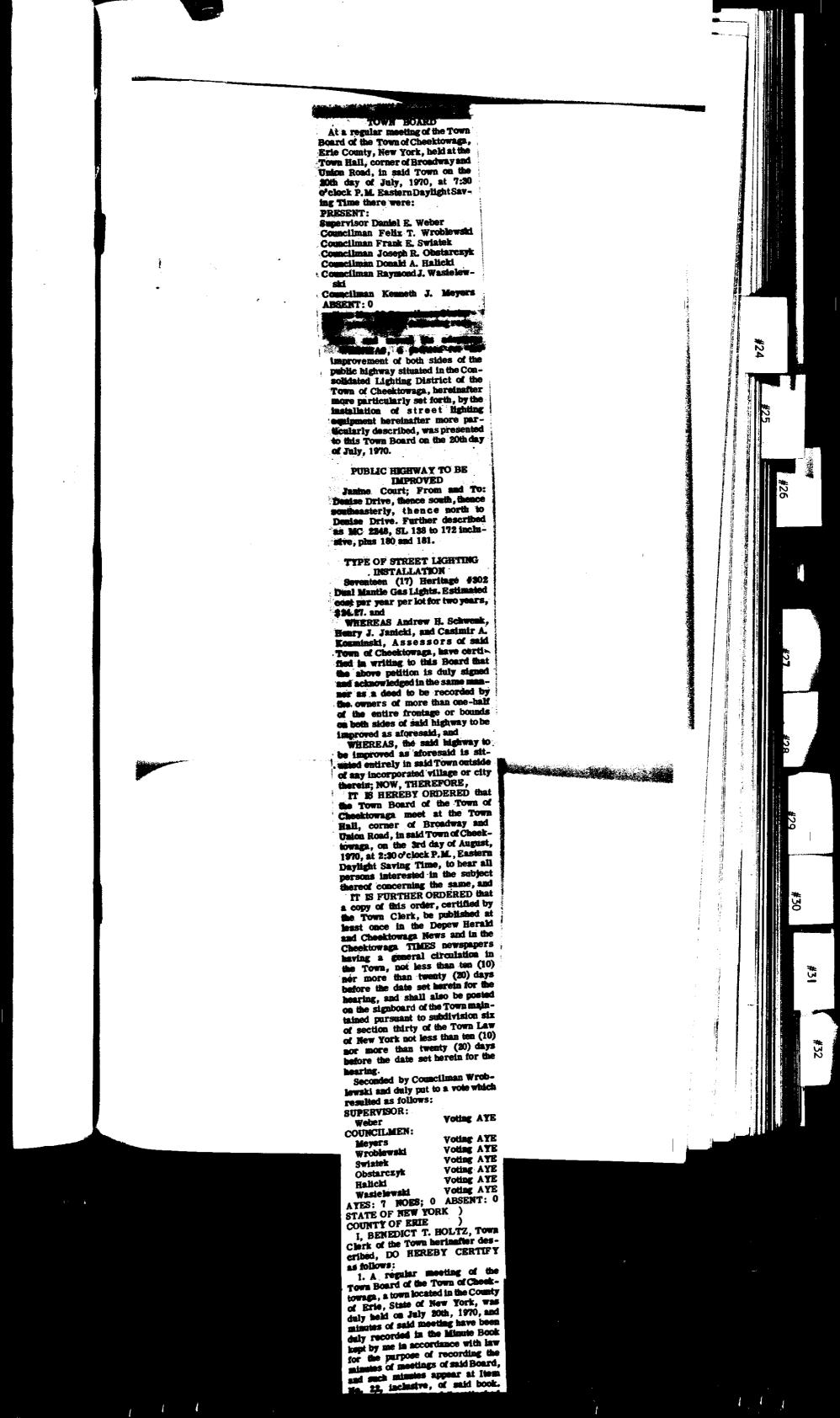
ly of Erla BENEDICT T. HOLTZ Clerk of the Town heredescribed, DO HEREBY Captain as follows:

1. A regular meeting of the Board of the Town of stowaga, a town located in e County of Erie, State of York, was duly held on fully 20th, 1970, and minutes of meeting have been duly scorded in the Minute Book by me in accordance with w for the purpose of recording he minutes of meetings of said ard, and such minutes appear Town No. 22 inclusive, of said

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

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

In Witness Whereof, I have hereunto set my hand and have hereunto (seal) affixed the corporate seal of said Town, this 21st day of July, 1970. BENEDICT T. HOLTZ, jy23 Town Clerk.



nor more than thinky (20) days before the date set herein for the hearing, and shall also be posted on the signboard of the Town maintained pursuant to subdivision six of section thirty of the Town Law of New York not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing.

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

SUPERVISOR: Weber

Swiatek

Voting AYE

COUNCILMEN: Meyers Wroblewski

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

Obstarczyk Voti Balicki Voti Wasielewski Voti VRS 7 MORR: 0 ABS

AYES: 7 NOES; 0 ABSENT: 0
STATE OF NEW YORK )
COUNTY OF EME )
I, BENEDICT T. HOLTZ, Town
Clerk of the Town berinafter des-

Clerk of the Town berinafter deseribed, DO HEREBY CERTIFY as follows: 1. A regular meeting of the Town Board of the Town of Check-

Town Board of the Town of Checktowaga, a town located in the County of Erie, State of New York, was duly held on July Both, 1970, and minutes of said meeting have been duly recorded in the Minute Book hapt by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and puch minutes appear at Item No. 22, inclusive, of said book.

Libere 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 the said extract.

1. Said missies correctly state
2. Said missies correctly state
3. Said missies correctly state
3. Said when said meeting was
4. Said Board who attended said

ATTIMES WHEREOF, I have set my hand and have set my hand and have set in the corporate seal form, this 21st day of July,

BENEDICT T. HOLTZ, Town Chrk

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first publication 1976; last publication 1978; and that no more than six days intervened between publications.

Willard Callis

Sworm to before me this 241

tay & July , 1970

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

OLONY AND CONSISTED NOTARY PUBMO DELETE OF NEW YORK

OF NEEDS OF CONSISTED OF YORK

MY COMMISSION TXERDS CONDUCT 30. 19 22

Item No. 23 Motion by Councilman Halicki, Seconded by Councilman Wroblewski

RESOLVED, that the following transfer of funds in the Recreation Department be approved:

FRO Parks & P	M Laygrounds	TO YOUTH A	GENCIES		AMOUNT
03-115-013	Equipment Oprs.	03-120-014	Recreation	Attend.	\$6,000.
03-115-012	Extra Laborers	03-120-014	THE COLUMN TWO IN THE COLUMN T	11	3,000.
03-115-014	Park Attendamts	03-120-014	11	11	1,000.
	Spec. Events Supr.	03-120-014	11	11	1,000.

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Obstarczyk, Halicki

Wasielewski and Meyers.

NAYES:

ABSENT:

Councilman Swiatek

Item No. 24 Motion by Councilman Halicki, Seconded by Councilman Wroblewski

RESOLVED, that the following transfer of funds in the Building Maintenance Department, Police Building, Town Hall be approved.

	FROM	<u>T0</u>				AMOUNT
03-260-034 03-050-035	Remodeling Town Hall Window Cleaning Window Cleaning Salary of Mail Clerk	03-265-013 03-265-013 03-265-013 03-265-013	Salary " "	of !! !!	Laborers ""	\$3,000. 500. 500. 1,000.

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Obstarczyk, Halicki

Wasielewski and Meyers.

NAYES:

ABSENT:

Councilman Swiatek

Item No. 25 Motion by Councilman Halicki, Seconded by Councilman Wroblewski

BE IT RESOLVED, that the following transfer of funds in the Part Town Fund be approved.

FROM ACCOUNT NUMBER	TO ACCOUNT NUMBER	AMOUNT
04-005-034	04-005-032	\$500.
04-005-034	04-005-033	500.
04-005-011	04-001-011	525.
04-005-035	04-003-031	300.
04-018-020	04-018-031	150.

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Obstarczyk, Halicki

Wasielewski and Meyers.

NAYES

1

ABSENT:

Councilman Swiatek

Item No. 26 Motion by Councilman Halicki, Seconded by Councilman Wroblewski

BE IT RESOLVED, that the following named vouchers and warrants submitted to the Town of Cheektowaga for the period ending July 20, 1970 be and hereby are approved and that the Supervisor pay said warrants.

FUND	FROM	<u>T0</u>	AMOUNT
Genera 1	7286	7399	\$133,391.11
Special Districts	3231	3280	161,390.54
•	2472	2516	110,824.21
Highway	-8-		
7/20/70	-0-	•	

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W 20

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Item No. 26 cont'd

<u>FUND</u>	FROM	<u>T0</u>	AMOUNT
Part Town	610	618	\$ 2,721.48
Trust & Agency	232	248	35,064.97
			\$443.392.31

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Obstarczyk, Halicki

24

Wasielewski and Meyers.

NAYES:

0

ABSENT:

Councilman Swiatek

RESOLVED, that the following boys form a reserve pool in the Cheektowaga Beautification Project under the Youth Board Program they are:

Donald Jarmuz
David Nowakowski
Michael Theilman
Thomas Donovan
Robert Krsten
William Galligan
Jack Willert
Robert Schulte
Dale Kozmierczak
Frank Rago
Glen Mirando
Robert Cwiczewicz

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Obstarczyk, Halicki

Wasielewski and Meyers.

NAYES:

0

ABSENT:

Councilman Swiatek

#### V. SUSPENSION OF RULES

Item No. 28 Motion by Councilman Wroblewski, Seconded by Councilman Halicki

WHEREAS on April 6, 1970 the Town Board has passed a resolution authorizing construction for the repairs and replacements of concrete curbs, sidewalks and approaches, and

WHEREAS on May 4, 1970 a resolution approving a contract for said repairs and replacements of curbs, sidewalks and approaches was awarded to the Michael Falgiano Construction Company, and

WHEREAS the 1970 General Budget did not provide any appropriations of money for said repairs and replacements, and

WHEREAS it appears that a transfer from the General Fund to the Sidewalk Repair Fund will be necessary for the purpose of making said payment, NOW THEREFORE BE IT

RESOLVED, that the sum of \$7500 be transferred from the General Fund to the Sidewalk Repair Fund in order to pay the current cost for said sidewalk repairs.

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Obstarczyk, Halicki

Wasielewski and Meyers.

MAYES:

ABSENT:

Councilman Swiatek

Item No. 29 Motion by Councilman Obstarczyk, Seconded by Councilman Halicki

RESOLVED, that permission be given to New York State Electric & Gas Corporation to install and remove the following:

McParlin Drive

Install 2 - 7000 lumen ornamental pole units

Eden Lane

Install 1 - 7000 lumen ornamental pole unit

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Obstarczyk, Halicki

Wasielewski and Meyers.

NAYES:

n

ABSENT:

Councilman Swiatek

Item No. 30

Statement of monies from Supervisor Daniel Weber, for month of

June 1970.

Received and Filed

Item No. 31 Motion by Councilman Halicki, Seconded by Councilman Wasielewski to adjourn the Meeting.

BENEDICT T. HOLTZ 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, corner of Broadway and Union Road, in said Town on the 3rd day of August, 1970 at 2:30 o'clock p.m., Eastern Daylight Saving Time there were:

PRESENT: Supervisor Daniel E. Weber
Councilman Felix T. Wroblewski
Councilman Frank E. Swiatek
Councilman Joseph R. Obstarczyk
Councilman Donald A. Halicki
Councilman Raymond J. Wasielewski

Councilman Kenneth J. Meyers

ABSENT: 0

Also present were: Virginia Janora, Deputy Town Clerk; Andrew Schwenk, Board of Assessors; Carl Trafalski, Building Inspector; Salvatore LaGreca, Chairman of Planning Commission; Victor Reinstein

#### I. BIDS

Item No. 2 Eleven Police Cars.

Referred to the Chief of Police, Benedict Kostrzewski.

Street Signs.

Referred to the Highway Superintendent, Stanley Bystrak.

### II. PUBLIC HEARING

Item No. 4 This being the time and place advertised for a public hearing on the proposed improvement of both sides of the public highway situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter more particularly set forth, by the installation of street lighting equipment hereinafter more 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 HIGHWAY TO BE IMPROVED

Name of Highway

From

To

Janine Court

Denise Drive, thence south, thence southeasterly, thence north to Denise Drive. Further described as MC 2248, SL 138 to 172 inclusive, plus 180 and 181.

# TYPE OF STREET LIGHTING INSTALLATION

Seventeen (17) Heritage #302 Dual Mantle Gas Lights. Estimated cost per year per lot for two years, \$24.27.

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.

Councilman Obstarczyk offered the following resolution and moved its adoption:

WHEREAS this Town Board has this day held a public hearing on the

## Item No. 4 cont'd

petition requesting the improvement of both sides of the public highway situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter more particularly set forth, by the installation of street lighting equipment hereinafter more particularly described.

#### PUBLIC HIGHWAY TO BE IMPROVED

Name of Highway

From

Τo

Janine Court

Denise Drive, thence south, thence southeasterly, thence north to Denise Drive. Further described as MC 2248, SL 138 to 172 inclusive, plus 180 and 181

#### TYPE OF STREET LIGHTING INSTALLATION

Seventeen (17) Heritage #302 Dual Mantle Gas Lights. Estimated cost per year per lot for two years, \$24.27.

and heard all persons interested in the subject thereof; now therefore be it

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

- (a) that such petition is signed and acknowledged as required by law and is otherwise sufficient, and
- (b) that it is in the public interest to grant in whole the relief sought, and be it

FURTHER RESOLVED that such petition is hereby approved and the installation of such street lighting equipment along said highway is hereby authorized, and that the Town Board is hereby authorized to purchase and to have installed said street lighting equipment, 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 (10) days after the adoption thereof, in conformity with Section 195 of the Town Law.

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

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers

NAYS:

0

ABSENT:

as follows:

0

# III. GENERAL COMMUNICATIONS

- Item No. 5 New York State Department of Transportation necessity to obtain a permit to perform any work within the right-of-way of a State Highway.

  Received and filed.
- Item No. 6
  Buffalo Sewer Authority delinquent sewer rents.
  Received and filed.
- Item No. 7
  National Electronic Television School, Inc. Certificate of Occupancy for school at 1062 Walden Avenue.
  Referred to the Town Attorney, John V. Rogowski.
- Item No. 8

  Jerome Raynor, Attorney proposed park site on Borden Road.

  Referred to Councilman Swiatek.

Item No. 9 Anthony P. LoRusso, Attorney - placing of traffic light on Harlem Road between Walden Avenue and railroad overpass south of Walden Avenue. Referred to the Traffic Safety Commission.

Item No. 10 Frank L. Moser and Walter Koehler, Cheektowaga Barracks No. 231 - letter of appreciation for financial support. Received and filed.

Item No. 11 Petition - residents of Roycroft Boulevard request improvement of both sides of Roycroft Boulevard. Referred to the Town Attorney, John V. Rogowski and the Board of Assessors.

Item No. 12 Copy of two (2) summonses and complaints. Referred to the Supervisor's Secretary, Mrs. Levine.

### IV. DEPARTMENTAL COMMUNICATIONS

Item No. 13 **Building Permits.** 

Motion by Councilman Wroblewski, seconded by Councilman Wasielewski----

RESOLVED that the building applications submitted by the Building & Plumbing Department August 3, 1970 be approved.

Upon Roll Call----

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki, AYES:

Wasielewski and Meyers

NAYS: ABSENT:

Chester Bryan - request of Mr. Edward Kramer, Item No. 14 to remove a sidewalk easement. Referred to the Town Attorney, John V. Rogowski.

Stanley Bystrak - appointment to positions of Motor Equipment Operators Item No. 15 Class B.

Motion by Councilman Wroblewski, seconded by Supervisor Weber----

RESOLVED that the following are appointed to the positions of MOTOR EQUIPMENT OPERATORS CLASS B, at a rate of \$3.47 per hour:

> , Sloan, New York 14212 James Piniewski, , Cheektowaga, New York Joseph M. Kornecki, Jr.,

Upon Roll Call----

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki, AYES:

Wasielewski and Meyers

NAYS: 0 ABSENT: 0

Stanley Bystrak - recommendation for acceptance of Subdivision: Coates-Item No. 16 worth Part #4. Referred to the Town Attorney, John V. Rogowski.

Benedict Kostrzewski - creation of ten (10) positions of Patrolmen in Item No. 17 the Police Department.

> Motion by Councilman Obstarczyk, seconded by Councilman Halicki----WHEREAS there are sufficient funds in the Police Department General

# Item No. 17 cont'd

Fund appropriations for the creation of ten (10) positions of Patrolman in the Police Department; now therefore be it

RESOLVED that ten (10) positions of Patrolman are hereby created in the Police Department.

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers

NAYS:

ABSENT:

0

Councilman Meyer's Reports and Comments - flooding on George Urban Item No. 18 Boulevard and Harlem Road.

Supervisor Weber's Comments. Item No. 19

#### V. RESOLUTIONS

Award of contract for dump site operation. Itam No. 20 Tabled until August 17, 1970.

Motion by Councilman Wroblewski, seconded by Supervisor Weber----Item No. 21

WHEREAS emergency repairs were required on sanitary sewers at 12 Birkdale Road, 38 Foisset Avenue and 4818 Union Road in Sanitary Sewer District #5, which repairs were ordered by the Town Engineer; now therefore be it

RESOLVED that the vouchers of Straco, Inc., 1010 Rein Road, Cheektowaga, New York in the amounts of \$405.59, \$321.68 and \$667.87 respectively, to do the work and furnish the materials for the sewer repairs, be approved and ordered paid.

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Halicki, Wasielewski

and Meyers

NAYS:

Councilman Obstarczyk ABSTAIN:

ABSENT:

Motion by Councilman Wroblewski, seconded by Councilman Wasielewski----Item No. 22

RESOLVED that the owners of the parcels of land bearing the following descriptions and setting forth the name of each owner and his address as appears upon the assessment roll of this town, are hereby ordered to construct a sidewalk in the streets on which their properties abut, in accordance with the ordinance adopted June 5, 1955, and known as the "Sidewalk Ordinance" and the Town Clerk shall give notice of this order by registered mail, addressed to each such owner at his aforementioned address, with return receipt requested, and each such letter shall specify that said owner shall construct said sidewalk within thirty (30) days from date of said letter and that such sidewalk required to be so built shall not have been constructed within said time prescribed, the Town Board will cause the same to be done and audit and pay the expense thereof against the property benefited, as provided in section 200a of the Town Law of New York.

Helen Mabbatt

Cheektowaga, New York 14225

Daniel Petrella & W.

Buffalo, New York 14215

Rose Nicosia

Cheektowaga, New York 14225

MC 1067-1219

SL 14-15

On Claudette Court

MC 1067-1219

SL 27-28-29

On Claudette Court

MC 962

SL 142

On Kokomo Place

# Item No. 22 cont'd

James McDonnell & W.	MC 962
Cheektowaga, New York 14225	SL 143 On Kokomo Place
Chester Niedzielski	MC 962
Cheektowaga, New York 14225	SL 186 On Kokomo Place
Albert Eberhardt	MC 962
Cheektowaga, New York 14225	SL 187 On Kokomo Place
Pasquale Morrone	MC 962
Cheektowaga, New York 14225	SL 292 On KoKomo Place
Garv Chosie	MC 962
	SL 293 on Kokomo Place
Cheektowaga, New York 14225	
Tillo Lavanche	MC 962 SL 353
Cheektowaga, New York 14225	On Kokomo Place
Mary Wanat	MC 527 Block D SL 1
Cheektowaga, New York 14225	On Wells Avenue
Anthony Zalenski	MC 527 Block K SL 1
Buffalo, New York 14206	On Vern Lane
Irving Smith	MC 527 Block E SL 51
Cheektowaga, New York 14225	On Vern Lane
Louis Rusiniak	Acreage on Bink Street
Louis Rusiniak Cheektowaga, New York 14227	Acreage on Bink Street
Cheektowaga, New York 14227  Park Land #15	MC 21 <i>9</i> 8
Cheektowaga, New York 14227  Park Land #15 1112 Prudential Building	
Cheektowaga, New York 14227  Park Land #15	MC 2198 SL 205, 206, 207 On Fair Elm Lane MC 733-976
Cheektowaga, New York 14227  Park Land #15 1112 Prudential Building Buffalo, New York 14202  Michael L. Penna & W.	MC 21 <i>9</i> 8 SL 205, 206, 207 On Fair Elm Lane
Cheektowaga, New York 14227  Park Land #15 1112 Prudential Building Buffalo, New York 14202  Michael L. Penna & W.  Cheektowaga, New York 14225	MC 2198 SL 205, 206, 207 On Fair Elm Lane MC 733-976 SL Part of #54
Cheektowaga, New York 14227  Park Land #15 1112 Prudential Building Buffalo, New York 14202  Michael L. Penna & W.  Cheektowaga, New York 14225  John Greenauer & W.	MC 2198 SL 205, 206, 207 On Fair Elm Lane MC 733-976 SL Part of #54 On Crandon Boulevard
Cheektowaga, New York 14227  Park Land #15 1112 Prudential Building Buffalo, New York 14202  Michael L. Penna & W.  Cheektowaga, New York 14225  John Greenauer & W.  Cheektowaga, New York 14225	MC 2198 SL 205, 206, 207 On Fair Elm Lane MC 733-976 SL Part of #54 On Crandon Boulevard MC 1843
Cheektowaga, New York 14227  Park Land #15 1112 Prudential Building Buffalo, New York 14202  Michael L. Penna & W.  Cheektowaga, New York 14225  John Greenauer & W.  Cheektowaga, New York 14225  Douglas Braid & W.	MC 2198 SL 205, 206, 207 On Fair Elm Lane  MC 733-976 SL Part of #54 On Crandon Boulevard  MC 1843 SL 2
Cheektowaga, New York 14227  Park Land #15 1112 Prudential Building Buffalo, New York 14202  Michael L. Penna & W.  Cheektowaga, New York 14225  John Greenauer & W.  Cheektowaga, New York 14225  Douglas Braid & W.  Cheektowaga, New York 14227	MC 2198 SL 205, 206, 207 On Fair Elm Lane MC 733-976 SL Part of #54 On Crandon Boulevard MC 1843 SL 2 MC 1843 SL 3
Cheektowaga, New York 14227  Park Land #15 1112 Prudential Building Buffalo, New York 14202  Michael L. Penna & W.  Cheektowaga, New York 14225  John Greenauer & W.  Cheektowaga, New York 14225  Douglas Braid & W.  Cheektowaga, New York 14227  Glenn M. Wolfert & W.	MC 2198 SL 205, 206, 207 On Fair Elm Lane MC 733-976 SL Part of #54 On Crandon Boulevard MC 1843 SL 2 MC 1843
Cheektowaga, New York 14227  Park Land #15 1112 Prudential Building Buffalo, New York 14202  Michael L. Penna & W.  Cheektowaga, New York 14225  John Greenauer & W.  Cheektowaga, New York 14225  Douglas Braid & W.  Cheektowaga, New York 14227  Glenn M. Wolfert & W.  Cheektowaga, New York 14227	MC 2198 SL 205, 206, 207 On Fair Elm Lane MC 733-976 SL Part of #54 On Crandon Boulevard MC 1843 SL 2 MC 1843 SL 3 MC 1843 SL 4
Cheektowaga, New York 14227  Park Land #15 1112 Prudential Building Buffalo, New York 14202  Michael L. Penna & W.  Cheektowaga, New York 14225  John Greenauer & W.  Cheektowaga, New York 14225  Douglas Braid & W.  Cheektowaga, New York 14227  Glenn M. Wolfert & W.  Cheektowaga, New York 14227  Edward Rosenberg & W.	MC 2198 SL 205, 206, 207 On Fair Elm Lane MC 733-976 SL Part of #54 On Crandon Boulevard MC 1843 SL 2 MC 1843 SL 3
Cheektowaga, New York 14227  Park Land #15 1112 Prudential Building Buffalo, New York 14202  Michael L. Penna & W.  Cheektowaga, New York 14225  John Greenauer & W.  Cheektowaga, New York 14225  Douglas Braid & W.  Cheektowaga, New York 14227  Glenn M. Wolfert & W.  Cheektowaga, New York 14227  Edward Rosenberg & W.  Cheektowaga, New York 14227  Edward Rosenberg & W.  Cheektowaga, New York 14227	MC 2198 SL 205, 206, 207 On Fair Elm Lane MC 733-976 SL Part of #54 On Crandon Boulevard MC 1843 SL 2  MC 1843 SL 3  MC 1843 SL 4  MC 1843 SL 5
Cheektowaga, New York 14227  Park Land #15 1112 Prudential Building Buffalo, New York 14202  Michael L. Penna & W.  Cheektowaga, New York 14225  John Greenauer & W.  Cheektowaga, New York 14225  Douglas Braid & W.  Cheektowaga, New York 14227  Glenn M. Wolfert & W.  Cheektowaga, New York 14227  Edward Rosenberg & W.	MC 2198 SL 205, 206, 207 On Fair Elm Lane  MC 733-976 SL Part of #54 On Crandon Boulevard  MC 1843 SL 2  MC 1843 SL 3  MC 1843 SL 4

## Item No. 22 cont'd

Maniel J. Marueka & W.	мс 1843 SL 7
Cheektowaga, New York 14227	
Matthew Kozdoduj & W.	MC 1843 SL 8
Cheektowaga, New York 14227	
Norman Greenauer & W.	MC 1843 SL 9
Cheektowaga, New York 14227	Also acreage on corner of Bink Street & Union Road
Edward Greenauer & W.	MC 1843 SL 10
Cheektowaga, New York 14227	
Carl F. Greenauer	MC 1843 SL 11
Cheektowaga, New York 14225	
Edward Rosenberg & W.	MC 1843 SL 12
Cheektowaga, New York 14227	Also Acreage on Bink Street
Franklin O. Sisson	Acreage on Bink Street
Cheektowaga, New York 14227	
Anthony LaMachia	Acreage on Bink Street
Buffalo. New York 14202	

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers

NAYS: ABSENT:

0

Motion by Councilman Halicki, seconded by Councilman Wroblewski----Item No. 23

BE IT RESOLVED that the following transfer of funds in the General Fund

be approved:

From Account Number	To Account Number	<u>Amount</u>
03-015-132	03-015-031	\$328.77
03-030-031	03-030-034	\$1,500.00

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers

NAYS:

0

ABSENT:

0

Motion by Supervisor Weber, seconded by Councilman Wroblewski----Item No. 24

WHEREAS the Town Board held a Public Hearing on the 20th day of July, 1970 at 7:00 p.m., for the purpose of considering the application of Norman J. Castine for the rezoning from R-Residence District to M1-Light Manufacturing District of the property located at 600 Cayuga Road, Cheektowaga, New York and amending the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinances of the Town of Cheektowaga, and

WHEREAS after due consideration it appears that the rezoning would inure to the benefit of the surrounding area and would not be detrimental to the neighboring property owners; now therefore be it

<u>..6</u>..

### Item No. 24 cont'd

RESOLVED that the property hereinabove described be, and hereby is, rezoned from R-Residence District to M1-Light Manufacturing District, and be it

FURTHER RESOLVED that the Zoning Map in the Town Clerk's Office be changed accordingly.

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers

NAYS:

ABSENT:

(Affidavit Attached)

STATE OF NEW YORK COUNTY OF ERIE

ring District of the proereinafter described and d amendment of the Zon-Map and Ordinance accord-HEREAS, the Town Board ektowaga has rendered ecision granting the applicon of the petitioner to rezone on R — Residence District to Light Manufacturing Dist the property hereinafter miled be it Town Board granting the tion of the petitioner to from R Residence Dist. ्रीक्षप्राच्य अ m, guest soloist, will a

#### RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

**PUBLISHER** 

of the

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 luguest, 19/0, and the last insertion being on/the ...... day of ...... 19......, and that not more than six days intervened between any two publications thereof.

Sworn to before me this lot day of

Notary Public in and for Erie County

CAROL P. BENNETT NOTARY PUBLIC, STATE OF NEW YORK willied in Erie County

8/3/70

-7-

# Item No. 24 contid

RESOLVED that the property hereinabove described be, and hereby is, rezoned from R-Residence District to M1-Light Manufacturing District, and be it

FURTHER RESOLVED that the Zoning Map in the Town Clerk's Office be changed accordingly.

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers

NAYS:

ABSENT:

0

(Affidavit Attached)

STATE OF NEW YORK COUNTY OF ERIE

District to MI-Light Maburing District of the proty bereinafter described and sted amendment of the Zon-Map and Ordinance accord-

orly, and
SHEREAS, the Town Board
Checktowage has rendered
to dicision granting the applicationer to rezone on of the petitioner to rezone on R — Residence District to ... Light Manufacturing Distriet the property hereinafter

NOLVED, that the decision the Town Board granting the e from R-Residence Dist. W. Light Manufacturing Dist. and the same is hereby conresid and be it FURTHER RESOLVED by this

our Board that the Ordinance logical December 27, 1969 and i sow amended be and the hereby amended by ge the following des-

dence District to M1 -t Manufacturing District. DESCRIPTION

O Cayuga Road. d: August 4, 1970 BENEDICT T. HOLTZ Town Clerk Town of Cheektowaga

New York

au 6

#### RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

LEGAL STOTICE
WHEREAS, the Town Board of the Town of Checktowaga, Eric Causty, New York, held a public hearing for the purpose of considering the application of Morman L. Castine for the rescoing of presenteses from R.-Residence District to Mi-Light Manufacturing District of the property hereinafter described and directed amendment the Zoning Map and Ordinance indecitingly, and SEEREAS, the Town Board of Checktowaga has readered its decision granting the application of the petitioner to rezone from R.-Residence District to Mi-Light Monthschuring District the property hereinafter described, be it applied to the petitioner of the decision.

perty hereinafter described, he it managed. We have a decision of the petitioner to remember from R - Residence Dist. to the same is hereby confirmed,

FURTHER RESOLVED by this FURTHER RESOLVED by this FURTHER RESOLVED by this flow amended be and the same is leaved many amended by changing the Seeing Map so as to change the blowing described property from that of R - Residence District to \$11 - Light Manufacturing District.

DESCRIPTION

680 Cayuga Road

Benedict T. Holtz, Town Clerk

Town of Cheektowaga,

New York

Dated: August 4, 1970

(46)

8/3/70

-7-

# Item No. 24 contid

RESOLVED that the property hereinabove described be, and hereby is, rezoned from R-Residence District to M1-Light Manufacturing District, and be it

FURTHER RESOLVED that the Zoning Map in the Town Clerk's Office be changed accordingly.

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers

NAYS:

ABSENT:

0

(Affidavit Attached) and made on the Martin

> STATE OF NEW YORK COUNTY OF ERIE TOWN OF CHEEKTOWAGA

of Cheektowaga, in said County of Eric, being daily sworn, deposes and says that he (she) is Chilelation Thanky of the Checktowaga 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 first publication. last publication (sugest 6, 1870 and that no more than six days intervened between publications.

Marine C. Marong

Sworn to before me this 10 th

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

GLORY ANN KRYSINSKI MOTARY PUBLIC STATE OF NEW YORK QUALIFIED IN ERIE COUNTY MY COMMISSION EXPIRES MARCH 30, 19

Item No. 25 Motion by Supervisor Weber, seconded by Councilman Wasielewski----

WHEREAS the Town Board held a Public Hearing on the 20th day of July, 1970 at 7:00 P.M., for the purpose of considering the application of the Town Board regarding the rezoning of property owned by Edward Vendetti from R-Residence District to CM-General Commercial District and amending the Zoning Map and Ordinance accordingly pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York, and

whereas investigation reveals that the property located at the southeast corner of Harlem Road and Southern Parkway has been used for business for upwards of fifteen (15) years prior to the passage of the new Zoning Ordinances, and

WHEREAS it appears just and equitable for said property to revert back to business and after due consideration, it appears that the rezoning would inure to the benefit of the surrounding property owners and would not be detrimental to them; now therefore be it

RESOLVED that the property hereinabove described be, and hereby is, rezoned from R-Residence District to CM-General Commercial District, and be it

FURTHER RESOLVED that the Zoning Map in the Town Clerk's Office be changed accordingly.

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers

NAYS:

0

ABSENT:

(Affidavit Next Page)

withting at the second of Cheektowaya has rendered its second of the second of the second of the rezontage of premises the rezontage of premises the R — Residence District to CM — General Commercial District of the property hereinafter the country of the property hereinafter the country herein

of Cheektowaga has rendered its
Michiel granting the application of the petitioner to rezone
from R.—Residence District to
Michiel General Commercial Disdistrict the property hereinafter
discribed, be it
MICHIEL VED, that the decision

Town Board granting the decision for the Down Board granting the desistant from R—Residence Dist.

Granting from R—Residence Dist.

ENSETTIER RESOLVED by this There Board that the Ordinance things of December 27, 1969 and the same is hereby amended by an entire is hereby amended by district the Commercial District to CM — General Commercial District.

DESCRIPTION

Southeast corner of Harlem

Build and Southern Parkway.

Build August 4, 1970

being duly sworn, deposes and says that he is the

PUBLISHER

of the

# Herald and News

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 ance a week for
week, the first insertion being on the day day
of day of day of day
and that not more than six days intervened
between any two publications thereof.

Sworn to before me this 104 day of

(DI Burne

Notary Public in and for Erie County

CAROL P. BENNETT
NOTARY PUBLIC, STATE OF NEW YORK
Qualified in Eric County
My Commission Expires March 30, 19 22

STATE OF NEW YORK

SS.:

blic hearing for the p the rezoning of premises M — General Commercial District of the property hereinafter at of the Zoning Map and rdinance accordingly, and THEREAS, the Town Board

Cheektowaga has rendered its cition granting the application of the petitioner to rezone R --- Residence District to General Commercial Dis-

General Commercial Dis-inct the property hereinafter discribed, be it SEEGCLVED, that the decision of the Town Board granting the distribution of the petitioner to distribution R.—Residence Dist. Discribed the same is hereby it, he and the same is hereby confirmed, and be it

ENSTHER RESOLVED by this Board that the Ordinance ed December 27, 1969 and now amended be and the is hereby amended by A hereby amenaed by the string the Zoning Map so as a string the Zoning Map so as a string the following described property from that of E — Resal Commercial District to CM — General Commercial District DESCRIPTION

Southeast corner of Harism has send Southern Parkway.

and Southern Parkway.

See Seguet 4 1970

RENEDECT T HOLTZ

Town Clerk Town of Cheektowaga New York

#### RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

**PUBLISHER** 

of the

e Town of Cheektoways, Eric County, New York, held a public hearing for the purpose of considering the application of the Checklowaga. Town Board for the seing of premises from Ridence District to CM - General
amercial District of the proerty hereinafter described and injusted amendment of the Zoning and Ordinance accordingly,

WHEREAS, the Town Board of specific parties are added to the specific parties application the politioner to rezone from Reflectioner District to CM - Genini Commercial District the pro-RESOLVED, that the decision of the Town Board granting the application of the petitioner to rezone from R - Residence Dist. to CM peral Commercial Dist. be and General Commercial Dist. be and the same is hereby confirmed, and

FURTHER RESOLVED by this Town Board that the Ordinance stageted December 27, 1969 and as the same is ow amended be and the same is easily amended by changing the coming Map so as to change the libering described property from of R -Residence District to Commercial District,

DESCRIPTION doubleast corner of Harlem Road d Southern Parkway. Benedict T. Holis, Town Clerk

Fown of Checktowags, New York Dated: August 4, 1970

STATE OF NEW YORK COUNTY OF ERIE TOWN OF CHEEKTOWAGA

The state of the s

of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Circulation manager 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 week for ...... weeks: first publication last publication furfust le 1970 : and that no more than six days intervened between publications.

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

GLORY ANN KRYSINSKI NOTARY PUBLIC STATE OF NEW YORK QUALIFIED IN ERIE COUNTY MY COMMISSION EXPIRES MARCH 30, 1972 Item No. 26 Motion by Councilman Obstarczyk, seconded by Councilman Wroblewski----

WHEREAS a petition for the improvement of both sides of the public high-way situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter more particularly set forth, by the installation of street lighting equipment hereinafter more particularly described, was presented to this Town Board on the 3rd day of August, 1970.

### PUBLIC HIGHWAY TO BE IMPROVED

Name of Highway

From

То

Frantzen Terrace

North side of Frantzen from east lot line of SL 39, MC 2221, west to west lot line of SL 60, MC 2221.

South side of Frantzen from east lot line of SL 138, MC 2221, west to west lot line of SL 118, MC 2221.

### TYPE OF STREET LIGHTING INSTALLATION

Fourteen (14) 3350 lumen post top type (Town & Country) mercury units. Estimated cost \$13.50 per year for two years per 50 foot lot,

and

WHEREAS Andrew H. Schwenk and Casimir A. Kozminski, 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 said highway to be improved as aforesaid, and

WHEREAS the said highway to be improved as aforesaid is 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, corner of Broadway and Union Road, in said Town of Cheektowaga on the 17th day of August, 1970, at 7:30 o'clock P.M., Eastern Daylight Saving Time, to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the DEPEW HERALD AND CHEEKTOWAGA NEWS and in the CHEEKTOWAGA TIMES newspapers having a general circulation in the Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing, and shall also be posted on the signboard of the Town maintained pursuant to subdivision six of section thirty of the Town Law of New York not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing.

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers

NAYS:

0

ABSENT:

(Affidavit Next Page)

SS

COUNTY OF ERIE

I, BENEDICT T. HOLTZ, being duly sworn, depose and say:

That I am now and at all times hereinafter mentioned have been the Town Clerk of the Town of Cheektowaga, County of Erie and State of New York.

> BENEDICT T. HOLTZ, Town Clerk.

Sworn to before me this

Stery La. Musmie

Total State State

} ss.:

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FIRE PREVENTION:

"Take time for this far
sponsibility. Chief France, chairman of the Dappertment Fire Prevent
The Safety Committee

AIITOCO

Lancer Court Sahlens Sauss Wilborn Tavern Wilborn Court Mational Conference Rest.

# RICHARD G. BENNETT

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

> News and

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 6 a day Chiquest, 1920, and the last insertion being on the ..... day of ..... 19....., and that not more than six days intervened between any two publications thereof.

Sworn to before me this Aug. day of

Notary Public in and for Erie County

CAROL. P. BENNETT
NOTARY PUBLIC, STATE OF NEW YORK
Qualified in Eric County
My Commission Expires March 30, 19\_7

EXTRACTS FROM MINUTES THE IN OF TOWN BOARD \*At a regular meeting of the Town Board of the Town of Chiefitowaga, Brie County, New York, held at the Town Hall, corner of Broadway and Union Road, in said Town on the 3rd day of August, 1970, at 2:30 o'clock p.m., Eastern Daylight Saving Time, there were: PRESENT:

Daniel E. Weber, Supervisor Felix T. Wroblewski,

Councilman Frank E. Swiatek, Councilman Joseph R. Obstarczyk,

Councilman Donald A. Halicki, Councilman Raymond J. Wasielewski, Councilman

Kenneth J. Meyers, Councilman

ABSENT: 0

- 22

... Holm Ma. 26 Councilman Obstarczyk preted the following resolution

and moved its adoption: WHEREAS, a petition for the Mirrovement of both sides of the public highway situated in Consolidated Lighting District of the Town of Cheektohereinafter more particolarly set forth, by the installa-tion of street lighting equip-ment hereinafter more particdescribed, was presented to this Town Board, on the 3rd

ry of August, 1970. All: Mighary to be improved Frantzen Terrace from North de of Frantzen from east lot ine of SL 39, MC 2221, west to west lot line of SL 60, MC 2221 to South side of Frantzen from cast lot line of SL 138, MC 2221, west to west lot line of SL 118,

MC 2221.

Type of Street Lighting . Installation

Fourteen (14) 3350 lumen post top type (Town & Country) mercury units. Estimated cost \$3.50 per year for two years per 50 foot lot.

and WHEREAS, Andrew H. Schwenk, and Casimir A. Rozminski, 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 recerded by the owners of more than one-half of the entire frontage or bounds on both sides of said highway to be improved, as aforesaid, and

WHEREAS, the said highway to be improved as aforesaid is situated entirely in said Town outside of any incorporated village or city therein; NOW, THEREFORE,

IT IS HEREBY ORDERED Town of Cheektowaga meet at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowa 17th day of August, 1970, at 7:30 o'clock p.m. Eastern Daylight Saving Time, to hear all persons interested in the subject

thereof concerning the same,

IT IS FURTHER ORDERED and that a copy of this order, certified by the Town Clerk, be published at least once in the Depew Herald & Cheektowaga News, and Cheektowaga Times newspapers having a general circulation in the Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing, and shall also be posted on the signboard of the Town maintained pursuant to subdivision six of section thirty of the Town Law of New York not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing.

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

Councilman Meyers, Voting Aye Councilman Wroblewski, Voting Aye

Councilman Swiatek, Voting Aye RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

The state of the s

STATE OF NEW YORK thereof concerning fine same,

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, and Cheektowaga Times newspapers having a general circulation in the Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing, and shall also be perited on the signboard of the Town maintained pursuant to subdivision six of section thirty of the Town Law of New York not less than ten (10) nor more than twenty (20) days before the date set herein for the ming.

seconded by Councilman Wroblewski and duly put to a ote, which resulted as follows: mervisor Weber,

Voting Aye Cauncilman Meyers,

Voting Aye Gemeilmen Wroblewski, **Voting Aye** 

Chancilmen Swistek Voting Aye Councilman Obstarczyk, Voting Aye

beilman Halicki, Voting Aye Concilman Wasielewski,

**Voting Aye** ATES: 7; NOES: 0; ABSENT: 6 State of New York ) County of Eric }

I BENEDICT T. HOLTZ Town Clerk of the Town here inafter described, DO HERENT CERTIFY as follows:

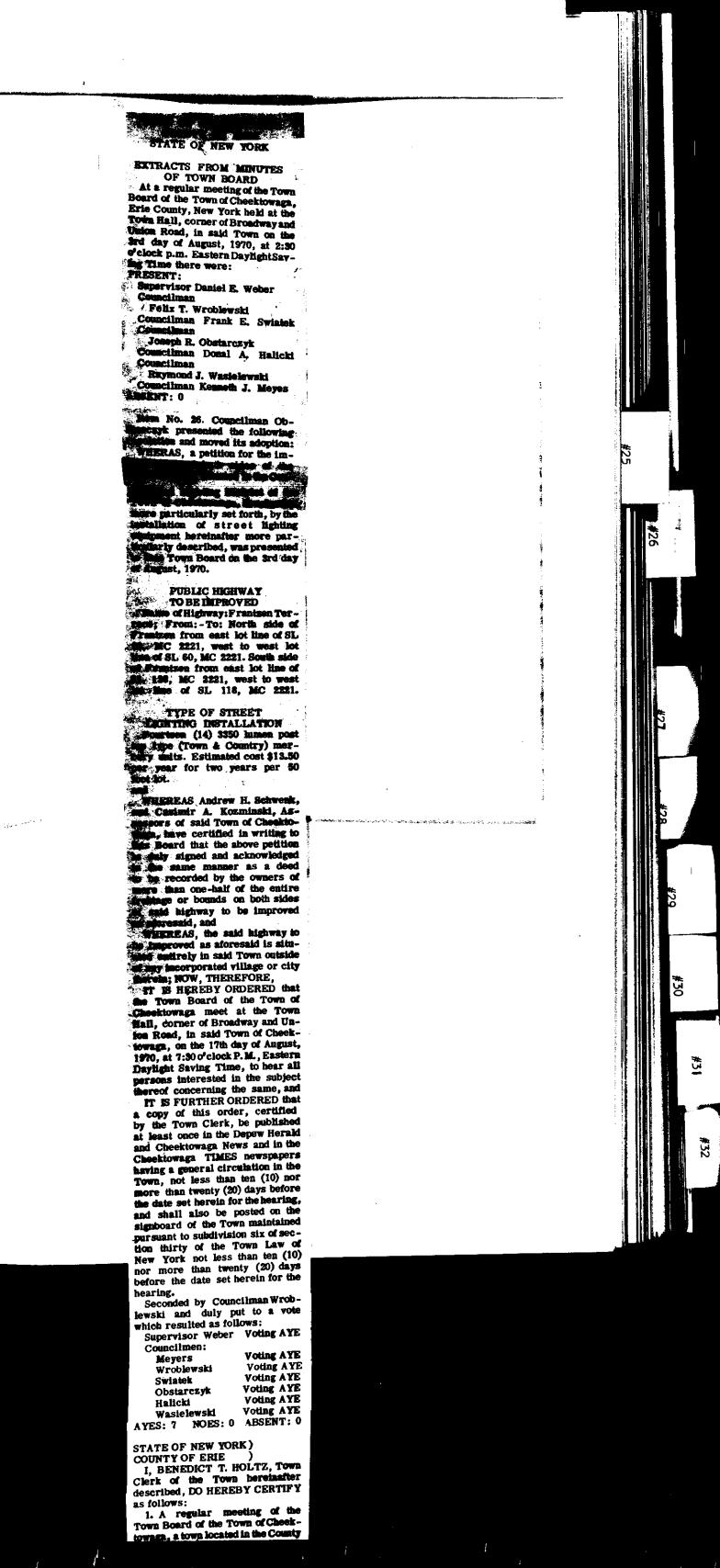
1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on Algust 3rd, 1970, and minutes id meeting have been duly the Minute Book bept by me in accordance with the the purpose of recording indicates of meetings of said bard, and such minutes appear at item No. 26 inclusive, of said

book.
2. I have compared the attached extract with said mintes so recorded and said exthe a true copy of said minafar as said minutes relate to matters referred to in said

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 (seal) affixed the corporate seal of said Town, this 4th day of August, 1970. BENEDICT T. HOLTZ Town Clerk.

p 8.



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

Supervisor Weber Voting AYE Councilmen:

Meyers Voting AYE Wroblewski Voting AYE Swiatek Voting AYE Obstarczyk Voting AYE Halicki Voting AYE Wasielewski Voting AYE AYES: 7 NOES: 0 ABSENT: 0

STATE OF NEW YORK) **COUNTY OF ERIE** 

I, BENEDICT T. HOLTZ, Town Clerk of the Town hereinsfter 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 August 3rd, 1970, and utes of said meeting have been mly recorded in the Minute Book ept by me in accordance with law her the purpose of recording the d such minutes appear at Item No. 26, inclusive, of said book. Laure compared the attached let with said minutes so re-

d and said extract is a true of said minutes and of the thereof insofar as said s relate to matters referred dd extract.

eld minutes correctly state time when said meeting was d, the place where such g was held and the memes of said Board who attended Rg.

WITNESS WHEREOF, I have to set my hand and have to affixed the corporate seal. Fown, this 4th day of Aug-

> BENEDICT T. HOLTZ, Town Clerk

> > August 6, 1970

.....

STATE OF NEW YORK COUNTY OF ERIE TOWN OF CHEEKTOWAGA

Mailine Marong, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes, and says that he (she) is Circulation Manager of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for ..... weeks: first publication Jugust 6,1970; last publication dispust 6, 1973; and that no more than six days intervened between publications.

Flaiding Marong Sworn to before me this 10+2

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

GLORY ANN KRYSINSKI

NOTARY PUBLIC STATE OF NEW YORK

QUALIFIED IN ERIE COUNTY

JY COMMISSION EXPIRES MARCH 36, 19

Item No. 27 Motion by Councilman Obstarczyk, seconded by Supervisor Weber----

WHEREAS a petition for the improvement of both sides of the public highway situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter more particularly set forth, by the installation of street lighting equipment hereinafter more particularly described, was presented to this Town Board on the 3rd day of August, 1970

#### PUBLIC HIGHWAY TO BE IMPROVED

Name of Highway

From

То

Armond Lane

The entire length of Armond Lane from Borden Road, east to Sherry Drive, including that portion of Bobby Lane consisting of SL 32, 33, 34, 35, 36 & 37, MC 2252.

#### TYPE OF STREET LIGHTING INSTALLATION

Ten (10) 3350 lumen electric post top type (Town & Country) mercury units. Estimated cost per year for two years \$15.00 per 50 foot lot,

and

WHEREAS Andrew H. Schwenk and Casimir A. Kozminski, 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 said highway to be improved as aforesaid, and

WHEREAS the said highway to be improved as aforesaid is 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, corner of Broadway and Union Road, in said Town of Cheektowaga, on the 17th day of August, 1970, at 7:30 o'clock P.M., Eastern Daylight Saving Time, to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the DEPEW HERALD AND CHEEKTOWAGA NEWS and in the CHEEKTOWAGA TIMES newspapers having a general circulation in the Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing, and shall also be posted on the signboard of the Town maintained pursuant to subdivision six of section thirty of the Town Law of New York not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing.

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers

NAYS: ABSENT:

0

(Affidavit Next Page)

SS

COUNTY OF ERIE

I, BENEDICT T. HOLTZ, being duly sworn, depose and say:

That I am now and at all times hereinafter mentioned have been the Town Clerk of the Town of Cheektowaga, County of Erie and State of New York.

> BENEDICT T. HOLTZ, Town Clerk.

Sworn to before me this

4th day of August, 1976

Sheryl a. Murmi

SHEMPL A. HUMMI Manur Public, State of Hear Stati Challed in Sine County Mr Complete States Manus St. 1973

RICHARD G. BI	ENNETT
---------------	--------

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

i... of the

# 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 ..... week, the first insertion being on the 6 a day guel, 19 20, and the last insertion being on the ..... day of ...... 19......, and that not more than six days intervened between any two publications thereof.

Sworn to before me this low day of

Notary Public in and for Erie County

CAROL P. BENNETT NOTARY PUBLIC, STATE OF NEW YORK Qualified in Eric County mission Expires March 30, 19\_2~

EXTRACTS FROM MINUTES OF TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Krie County, New York, held at the Town Hall, corner of Broadway and Union Road, in said Town on the 3rd day of August, 1970, at 2:30 o'clock p.m., Eastern Daylight Saving Time, there were:
PRESENT:

Daniel E. Weber, Supervisor Felix T. Wroblewski,

Councilman Frank E. Swiatek, Councilman Jaseph R. Obstarczyk,

Councilment consid A. Halicki, Councilmen laymond J. Wasielewski,

Councilman Kenneth J. Meyers,

Councilman

them No. 27
Councilman Obstarczyk prepated the following resolution ad method its adoption:

inconstants, a petition for the inconstant of both sides of the chartest Lighting Discreet of the Town of Cheektoings, hereinafter more particularly set forth, by the installation of street lighting equipment hereinafter more particularly discribed, was presented to this Town Board, on the 3rd lay of August, 1970.

Aringed Lane from the entire ingth of Armond Lane from the entire ingth. Road, east to Sherry below including that portion of bibby Lane consisting of SL 2, 33, 34, 35, 38, & 37, MC

Type of Atreet Lighting

Ten (10) 3350 lumen electric est top type (Town & Country) ercury units. Estimated cost er year for two years \$15.00 er 50 feet lot.

WHEREAS, Andrew H. Solivensk, and Casimir A. Kozninski, assessors of said Town
of Cheektowaga, have certified
a wilting to this Board that the
hoofs petition is duly signed
and animoviedged in the same
matter as a deed to be recorded
by the owners of more than
one-half of the entire frontage
ar bounds on both sides of said
highway to be improved, as
aforesaid, and

WHEREAS, the said i ghway to be improved as aforesaid is situated entirely in said Town sutside of any incorporated villege or city therein; NOW, THEREFORE,

IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga, on the 17th day of August, 1970, at 7:30 o'clock p.m. Eastern Daylight Saving Time, to hear all persons interested in the subject thereof concerning the same, and

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, and Cheektowaga Times newspapers having a general circulation in the Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing, and shall to be posted on the signboard of the Town maintained pursuant to subdivision six of section thirty of the Town Law of New York not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing.

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

Voting Aye Councilman Meyers,

Voting Aye Councilman Wroblewski, Voting Aye

Councilman Swietek.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

**PUBLISHER** 

7 42

---

ORDERED at a copy of this order, certiffied by the Town Clerk, be published at least once in the Depew Herald & Cheektowaga News, and Cheektowaga Times newspapers having a general circulation in the Town, not than ten (10) nor more than twenty (20) days before the date set herein for the hearing, and shall to be sted on the signboard of the fown maintained pursuant to subdivision six of section thirty of the Town Law of New York d-less than ten (10) nor more han twenty (20) days before the date set herein for the

Seconded by Supervisor Web. er and duly put to a vote, which pervisor Weber,

Voting Ay

ncilman Meyers, Voting Aye destinan Wroblewski

Voting Aye

Cliesan Swisselt

Cometimen Obstarczyk, Voting Aye mcilman Halicki,

Voting Aye an Wasielewski,

Voting Aye T NOES: 0; ABSENT: 0

e of New York )

BENEDICT T. HOLTZ Clark of the Town heres described, DO HEREST as follows:

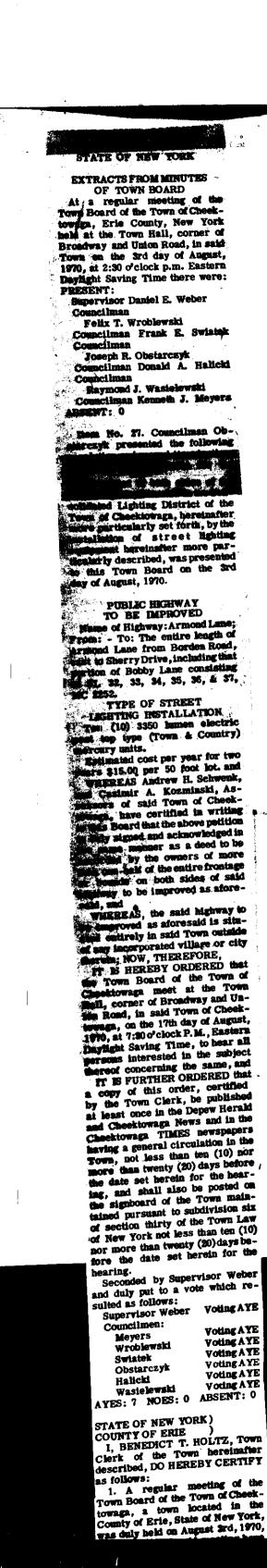
regular inquiting of the Beard of the Town of toward, a town located in County of Erie, State of York, was duly held on net 3rd, 1970, and minutes in the Minute Book minutes of meetings of said and such minutes appear Extem No. 26 inclusive, of said

I have compared the atd extract with said minne recorded and said exet is a true copy of said mins and of the whole thereof er as said minutes relate to matters referred to in said entract.

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.

Contract to the second of the

In Witness Whereof, I have hereunto set my hand and have hereumto (seal) affixed the corporate seal of said Town, this 4th day of August, 1970. BENEDICT T. HOLTZ, Town Clerk. k.



therein; NOW, THEREFORE

IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga, on the 17th day of August, 1970, at 7:30 o'clock P.M., Eastern Daylight Saving Time, to hear all persons interested in the subject ereof concerning the same, and

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the Depew Herald and Cheektowaga News and in the sktowaga TIMES newspapers of a general circulation in the not less than ten (10) nor than twenty (20) days before date set herein for the hear-that shall also be posted on a significant of the Town mained pursuant to subdivision six section thirty of the Town Law of New York not less than ten (10) ore than twenty (20) days bethe date set herein for the

ided by Supervisor Weber day put to a vote which re-

Voltag A YE Tribor Weber

VOUS AYE Meyers Voting AYE Wroblewski Voting AYE Swiatek Obstarczyk YotingAYE Voling AYE Helicki Waste break! VOURS AYE ATES: 7 MORS: 0 ARSENT: 0

MATE OF NEW YORK)

DESERTIOF ERIE ) est of the Town hereinafter ppd, i

A regular meeting of the a Board of the Town of Che es, a town located in the My of Erie, State of New York, daily held on August 3rd, 1970, dely recorded in the Minute lespt by me in accordance her for the purpose of recordthe missies of meetings of Beard, and such minutes ap-M Item No. 27, inclusive, of

Libere compared the attached st with said minutes so reand said extract is a true of said minutes and of the thereof insofar as said minrelate to matters referred to eid extract.

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

WITNESS WHEREOF, I have seremeto set my hand and have sevento affixed the corporate seal of said Town, this 4th day of August, 1970.

BENEDICT T. HOLTZ, Town Clerk

125

STATE OF NEW YORK COUNTY OF ERIE TOWN OF CHEEKTOWAGA

of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Citinhatiani Manager of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for ..... weeks: first publication... iast publication.... and that no more than six days intervened between publications.

Sworm to before me this

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

GLORY ANN KRYSINSKI

NOTARY PUBLIC STATE OF NEW YORK

QUALIFIED IN EPIE COUNTY

MY COMPT TON DEPTH MACH SA 1972

Item No. 28 Motion by Councilman Halicki, seconded by Councilman Wroblewski----

RESOLVED that the following named vouchers and warrants submitted to the Town of Cheektowaga for the period ending August 2, 1970 be, and hereby are, approved and that the Supervisor pay said warrants:

FUND	FROM	<u>T0</u>	AMOUNT
Genera1	7400	7505	\$175,219.32
Special Districts	3281	3303	99,554.23
Hi ghway	2517	2534	31,186.70
Part Town	619	626	3,890.23
Trust & Agency	249	252	162,568.03
Construction & Improvement	242	243	19,161.88 \$491,580.39

Upon Roll Call----

AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers

NAYS: 0
ABSENT: 0

#### VI. SUSPENSION OF RULES

Item No. 29 Sloan Public Schools - request "black-topping" of parking lot behind John F. Kennedy High School and the driveway and parking lot at Grover Cleveland School.

Motion by Councilman Wroblewski, seconded by Supervisor Weber----

WHEREAS the Sloan Public Schools have requested that the parking lot located behind John F. Kennedy High School and the driveway and parking lot at the Grover Cleveland School be "black-topped", and

WHEREAS the school district is willing to assume the cost of materials and labor for each of these projects, and

WHEREAS the Highway Department, and any other appropriate department, in the Town of Cheektowaga will be able to provide the equipment for such projects; now therefore be it

RESOLVED that said Highway Department, and any other appropriate department possessing such equipment, be and hereby are authorized to provide said equipment for the aforesaid projects.

Upon Roll Call----

AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers

NAYS: 0 ABSENT: 0

Item No. 30 Expansion of existing Sewage Treatment Plant #5.

Motion by Councilman Wroblewski, seconded by Councilman Halicki----

3

WHEREAS at the request of the New York State Department of Health, the Town Board of the Town of Cheektowaga authorized a study to investigate an alternative for the expansion of the existing Sewage Treatment Plant #5. The alternative is to pipe untreated waste water to the Buffalo Sewer Authority System for treatment, and said feasibility study is scheduled for completion about October 30, 1970; now therefore be it

RESOLVED that the Town Board of the Town of Cheektowaga will make a decision on the implementation of the recommendation of said report as soon as possible after the presentation of said report to the Town Board.

8/3/60

-11-

Item No. 28 Motion by Councilman Halicki, seconded by Councilman Wroblewski----

RESOLVED that the following named vouchers and warrants submitted to the Town of Cheektowaga for the period ending August 2, 1970 be, and hereby are, approved and that the Supervisor pay said warrants:

FUND	FROM	<u>T0</u>	AMOUNT
Genera 1	7400	7505	\$175,219.32
Special Districts	3281	3303	99,554.23
Hi ghway	2517	2534	31,186.70
Part Town	61 9	626	3,890.23
Trust & Agency	249	252	162,568.03
Construction & Improvement	242	243	19,161.88 \$491,580.39

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers

NAYS:

0

ABSENT:

0

#### VI. SUSPENSION OF RULES

Item No. 29 Sloan Public Schools - request "black-topping" of parking lot behind John F. Kennedy High School and the driveway and parking lot at Grover Cleveland School.

Motion by Councilman Wroblewski, seconded by Supervisor Weber----

WHEREAS the Sloan Public Schools have requested that the parking lot located behind John F. Kennedy High School and the driveway and parking lot at the Grover Cleveland School be "black-topped", and

WHEREAS the school district is willing to assume the cost of materials and labor for each of these projects, and

WHEREAS the Highway Department, and any other appropriate department, in the Town of Cheektowaga will be able to provide the equipment for such projects; now therefore be it

RESOLVED that said Highway Department, and any other appropriate department possessing such equipment, be and hereby are authorized to provide said equipment for the aforesaid projects.

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers

NAYS:

0

ABSENT:

0

Item No. 30 Expansion of existing Sewage Treatment Plant #5.

Motion by Councilman Wroblewski, seconded by Councilman Halicki----

WHEREAS at the request of the New York State Department of Health, the Town Board of the Town of Cheektowaga authorized a study to investigate an alternative for the expansion of the existing Sewage Treatment Plant #5. The alternative is to pipe untreated waste water to the Buffalo Sewer Authority System for treatment, and said feasibility study is scheduled for completion about October 30, 1970; now therefore be it

RESOLVED that the Town Board of the Town of Cheektowaga will make a decision on the implementation of the recommendation of said report as soon as possible after the presentation of said report to the Town Board.

8/3/60

# Item No. 30 contid

Upon Roll Call----

AYES: Sur

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers

NAYS:

0

ABSENT:

Item No. 31

Traffic Safety Commission - Minutes of July 21, 1970 Meeting.

Received and filed.

VIRGINIA JANORA Deputy Town Clerk

8/3/70

-12-

Cheektowaga, New York August 17, 1970

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, corner of Broadway and Union Road, in said Town on the 17th day of August, 1970 at 7:30 o'clock p.m., Eastern Daylight Saving Time there were:

PRESENT: Daniel E. Weber Supervisor
Felix T. Wroblewski Councilman
Frank E. Swiatek Councilman
Kenneth J. Meyers Councilman
Joseph R. Obstarczyk Councilman
Donald A. Halicki Councilman
Raymond J. Wasjelewski Councilman

ABSENT: 0

Also present were: Benedict T. Holtz, Town Clerk; John V. Rogowski, Town Attorney; Robert Miller, Deputy Town Attorney; Benedict T. Kostrzewski, Chief of Police; Myron Shisler, Assistant Engineer; Carl Trafalski, Building Inspector.

Rev. Malichowski from Ressurection Parish opened the Meeting with a prayer.

# I. PUBLIC HEARING

Item No. 2 This being the time and place advertised for a public hearing on the proposed improvement of both sides of the public highway situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter more particularly set forth, by the installation of street lighting equipment hereinafter more 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 HIGHWAY TO BE IMPROVED

Name of Highway

From

To

Armond Lane

The entire length of Armond Lane from Borden Road, east to Sherry Drive, including that portion of Bobby Lane consisting of SL 32, 33, 34, 35, 36, & 37, MC 2252.

# TYPE OF STREET LIGHTING INSTALLATION

Ten (10) 3350 lumen electric post top type (Town & Country) mercury units Estimated cost per year for two years \$15.00 per 50 foot lot.

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.

Motion by Councilman Obstarczyk, Seconded by Councilman Wroblewski

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

# PUBLIC HIGHWAY TO BE IMPROVED

Name of Highway

From

<u>To</u>

Armond Lane

The entire length of Armond Lane from Borden Road, east to Sherry Drive, including that portion of Bobby Lane consisting of SL 32, 33 34, 35, 36, 37, MC 2252.

8/17/70

-1-

### TYPE OF STREET LIGHTING INSTALLATION

Ten (10) 3350 lumen electric post top type (Town & Country) mercury units. Estimated cost per year for two years \$15.00 per 50 foot lot.

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 it otherwise sufficient, and
- (b) that it is in the public interest to grant in whole the relief sought, and be it

FURTHER RESOLVED, that such petition is hereby approved and the installation of such street lighting equipment along said highway is hereby authorized, and that the Town Board is hereby authorized to purchase and to have installed said street lighting equipment, 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 (10) days after the adoption thereof, in conformity with Section 195 of the Town Law.

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk,

Halicki and Wasielewski.

NAYES:

ABSENT:

This being the time and place advertised for a public hearing on the proposed improvement of both sides of the public highway situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter more particularly set forth, by the installation of street lighting equipment hereinafter more 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 HIGHWAY TO BE IMPROVED

Name of Highway

<u>From</u>

<u>To</u>

Frantzen Terrace

North side of Frantzen from east lot line of SL 39, MC 2221, west to west lot line of SL 60, MC 2221. South side of Frantzen from east lot line of SL 138, MC 2221, west to west lot line of SL 118, MC 2221.

# TYPE OF STREET LIGHTING INSTALLATION

Fourteen (14) 3350 lumen post top type (Town & Country) mercury units. Estimated cost \$13.50 per year for two years per 50 foot lot.

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. Mo persons appearing in opposition to the proposed improvement, the Supervisor declared the hearing closed.

Motion by Councilman Obstarczyk, Seconded by Councilman Wroblewski

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

#### PUBLIC HIGHWAY TO BE IMPROVED

Name of Highway

From

<u>To</u>

Frantzen Terrace

North side of Frantzen from east lot line of SL 39, MC 2221, west to west lot line of SL 60, MC 2221. South side of Frantzen from east lot line of SL 138, MC 2221, west to west lot line of SL 118, MC 2221.

#### TYPE OF STREET LIGHTING INSTALLATION

Fourteen (14) 3350 lumen post top type (Town & Country) mercury units.

Estimated cost \$13.50 per year for two years per 50 foot lot.

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 it otherwise sufficient, and
- (b) that it is in the public interest to grant in whole the relief sought, and be it

FURTHER RESOLVED, that such petition is hereby approved and the installation of such street lighting equipment along said highway is hereby authorized, and that the Town Board is hereby authorized to purchase and to have installed said street lighting equipment, 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 (10) days after the adoption thereof, in conformity with Section 195 of the Town Law.

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk

Halicki and Wasielewski.

NAYES:

C

ABSENT:

II GENERAL COMMUNICATIONS

Item No. 4 Village of Sloan, Ann Zephro, Clerk - requesting complete breakdown of budget as applied to Village of Sloan.
Referred to Town Board and Accounting Department.

Item No. 5 Southline Homeowners Association, Inc. - regarding Dartwood Drive Park Received and Filed

Board of Fire Commissioners, Robert Jones - relocation of fire hydrant Motion by Councilman Wroblewski, Seconded by Supervisor Weber RESOLVED, that the Erie County Water Authority be given permission to relocate a fire hydrant at 3 Gilmore Drive, in the Town of Cheektowaga.

UPON ROLL CALL....

Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk,

Halicki and Wasielewski.

NAYES:

AYES:

0

ABSENT:

0

Item No. 7
Harlem Road.

Anthony P. LoRusso, Attorney - request to obtain traffic light on Referred to Traffic Commission

Item No. 8 Pine Hill Fire District No. 5 - installation of fire hydrants.

Motion by Councilman Wroblewski, Seconded by Supervisor Weber

RESOLVED, that Erie County Water Authority be given permission to install fire hydrants at the following locations:

South side of Delavan Avenue opposite Carol Drive

Southwest corner of Sugar Road and Pine Ridge Road.

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk,

Halicki and Wasielewski.

NAYES:

0

ABSENT:

0

Item No. 9 in basements. Petition from residents on Standard Pkwy., relative to flooding

Referred to Engineering Department

# III DEPARTMENTAL COMMUNICATIONS

Item No. 10 Motion by Councilman Wroblewski, Seconded by Councilman Wasielewski

RESOLVED that the Building Permits submitted on August 17, 1970

be approved with the following exceptions and stipulations:

Tab1ed

David Janus.

Erect frame public garage

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk,

Halicki, and Wasielewski.

MAYES:

0

ABSENT:

Item No. 11

Daniel E. Weber - statement of monies for July.

Received and Filed

Item No. 12 Benedict Kostrzewski - award of bid for (11) police cars.

Motion by Councilman Halicki, Seconded by Councilman Wroblewski

WHEREAS bids were duly received by this Town Board at a meeting thereof, held on August 3, 1970 for the purchase of eight (8) four door sedans and three (3) four door station wagons as the result of advertisement therefor, and such bids were referred to the Chief of Police for analysis, tabulation and report, and

WHEREAS such analysis, tabulation and report is hereto attached and made a part thereof, NOW, THEREFORE, BE IT

RESOLVED that contract for the purchase of eight (8) four door sedans and three (3) four door station wagons for a price of \$26, 934.00 be awarded to Mernan Chevrolet, 2751 Bailey Avenue, Buffalo, New York, said Mernan Chevrolet being the low responsible bidder meeting specifications.

UPON ROLL CALL...

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk,

Halicki, and Wasielewski.

WAYES:

0

ABSENT:

Item No. 13 Benedict Kostrzewski - request permission to send partolman to Seminar.

Motion by Councilman Obstarczyk, Seconded by Councilman Halicki

WHEREAS the National Police K-9 Association, Inc. is conducting

8/17/70

-4-

#### Item No. 13 cont'd

a seminar at Coraopolis, Pennsylvania, NOW, THEREFORE, BE IT

RESOLVED that Patrolman Ralph Gardner of the K-9 Patrol be and he hereby is authorized to attend the Fifth Annual Police K-9 Seminar at Coraopolis, Pennsylvania on August 28th thru August 30th, 1970 and be it

FURTHER RESOLVED that the said Ralph Gardner be reimbursed for his necessary and reasonable travel expenses in connection with said trip and seminar.

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Switek, Meyers, Obstarczyk,

Halicki and Wasielewski.

NAYES:

ABSENT:

Item No. 14

Stanley Bystrak - request permission to advertise for (2) plows.

Motion by Councilman Wroblewski, Seconded by Councilman Swiatek

BE IT RESOLVED that the Town Clerk be directed to publish a NOTICE TO BIDDERS for the furnishing of two (2) new 1970 snowplows, information for bidders and specifications for which may be obtained from the office of the Highway Superintendent.

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

SEALED PROPOSALS will be received and considered by the Town Board of the Town of Cheektowaga, at a meeting thereof, to be held at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at 2:30 P.M., E.D.S.T., September 8, 1970, for the furnishing of Two (2) New 1970 Plows.

Information for bidders and specifications may be obtained from Stanley Bystrak, Superintendent of Highways, at his of-fice located at the Cheektowaga Highway Department, 3145 Union Road, (near Broad-

way), Cheektowaga, New York. BENEDICT T. HOLTZ

Town Clerk Dated: August 10, 1970 Published: August 20, 1970

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk,

Halicki, and Wasielewski.

NAYES:

ABSENT:

(Affidavit on Next Page)

e Town Board of the Town of Checktowaga, at a meeting thereof, to be held at the Town fell, corner of Broadway and Union Road, Cheektowaga, New Tork, at 2:30 P.M., E.D.S.T., September 8, 1970, for the furn-shing of Two (2) New 1970

Information for bidders and Information for bidders and specifications may be obtained from Stantey Bystrak, Superintendent of Highways, at his office located at the Checktowaga Highway Department, 2145 Union Road, (near Broadway), Checktowaga, New York.

BENEDICT T. HOLTZ
Town Clerk

Town Clerk Pated: August 10, 1970 Published: August 20, 1970

#### RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

#### **PUBLISHER**

.... of the

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 2024 day of Cecurity, 19 0, and the last insertion being on the ...... day of ..... 19......, and that not more than six days intervened between any two publications thereof.

Sworn to before me this Afraday of

Notary Public in and for Erie County

CAROL P. BENNETT MOTARY PUBLIC, STATE OF NEW YORK
Qualified in Eric County
My Commission Expires March 30, 19

SEALED PROPOSALS will be sected and considered by the was Beard of the Town of Cheekgum Beard of the Town of Cheek-sympa at a meeting thereof to be well at the Town Hall, corner of Breathway and Union Road, Cheek-limage, New York, at 2:30 P.M., E.R.S.T., September 8, 1970, for the Saraiching of Two (2) New 1970

Internation for bidders and spe-efficiency may be obtained from display dystrak, Superintendent of Singleways, at his affice located at the Checkiowaga Highway Depart-sioni, \$146 Union Read, (mar-breadway), Checkiowaga, New York.

BENEDICT T. HOLTZ, Town Clerk BATED: August 10, 1970. POBLESHED: August 20, 1970. (220)

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA

WILLARD C. ALLIS, of the Town of Cheek-towaga, 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 maper once a week for .......

first publication (1970); last publication (1970); and that no more than six days intervened between publications.

Willard Callis

Sworn to before me this ..........

day of August

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

GLORY ANN KRYSINSKI

NOTARY PUBLIC STATE OF NEW YORK

QUALIFIED IN HIGH COUNTY

MY COMMISSION EXPLICES MEACH 30, 1972

Item No. 15 Stanley Bystrak - award of bid for street name signs.

Motion by Councilman Wroblewski, Seconded by Councilman Wasielewski

WHEREAS bids were duly received by this Town Board at a meeting thereof, held on August 3rd, 1970, for street name signs, dead-end signs, U-posts and galvanized pipe as the result of advertisement therefor, and such bids were referred to the Town Superintendent of Highways for analysis, tabulation and report, and

WHEREAS such analysis, tabulation and report is hereto attached and made a part hereof, NOW, THEREFORE, BE IT

RESOLVED that contract for the street name signs, dead-end signs, U-posts and galvanized pipe be awarded to Chemung Supply Corporation, P.O. Box 527, Elmire, New York, said company being the lowest responsible bidder meeting specifications.

UPON ROLL CALL...

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk,

Halicki and Wasielewski.

NAYES:

ABSENT:

Item No. 16 Stanley Bystrak - award of bid for diesel fuel oil.

Motion by Councilman Halicki, Seconded by Councilman Wroblewski

WHEREAS bids were duly received by this Town Board at a meeting thereof, held on July 23rd, 1970 for requirements of diesel fuel oil for the period of August 1, 1970 to August 1, 1971 as the result of advertisement therefor, and such bids were referred to the Town Superintendent of Highways for analysis, tabulation and report, and

WHEREAS such analysis, tabulation and report is hereto attached and made a part hereof, NOW, THEREFORE, BE IT

RESOLVED that contract for the diesel oil be awarded and hereby is awarded to Kurk Fuel Oil Co. at the rate of \$ .1337 per gallon for the year August 1, 1970 to August 1, 1971, said company being the lowest responsible bidder meeting specifications.

UPON ROLL CALL...

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk,

Halicki, and Wasielewski.

MAYES:

ABSENT:

Henry Cwiklinski, Civil Defense - resignation of Angela Ognibene, Item No. 17 Secretary.

Motion by Supervisor Weber, Seconded by Councilman Wasielewski

RESOLVED, that the resignation of Angela Ognibene, as Secretary in the Civil Defense Office be accepted.

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk,

Halicki, and Wasielewski.

WAYES:

0

**ABSENT:** 

Item No. 18 Secretary.

Henry Cwiklinski, Civil Defense - appointment of Mrs. Pat Bater as

Motion by Supervisor Weber, Seconded by Councilman Wasielewski

Cheektowaga RESOLVED, that Mrs. Patricia Bater, be appointed as Clerk-Typist Part Time in the Civil Defense Office effective August 13, 1970.

-6-

# Item No. 18 cont'd

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Meyers,

Halicki, and Wasielewski.

NAYES:

0

ABSENT:

Item No. 19 John J. Jablonski - request permission to attend Conference.

Motion by Supervisor Weber, Seconded by Councilman Wroblewski

RESOLVED, that permission be given to John J. Jablonski, Justice to attend the 61st Annual Conference of N.Y.S. Association of Magistrates held September 13 thru 16, 1970 with all reasonable expenses incurred to be paid by the Town of Cheektowaga.

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk,

Halicki, and Wasielewski.

NAYES:

0

ABSENT:

0

Item No. 20 Carl Trafalski - regarding grading at 8 Michelle Drive.

Received and Filed

Item No. 21 Dr. Louis Vendetti - report for July.

Received and Filed

Item No. 22 Traffic Safety Commission - minutes of meeting.

Received and Filed

Item No. 23 Traffic Safety Commission resignation of Raymond Tonnuci'as Secretary

and appointment of James J. Wolf to fill position of Secretary

Received and Filed

Item No. 24 Traffic Safety Commission - expiration of term of office.

Motion by Councilman Wasielewski, Seconded by Supervisor Weber

RESOLVED, that the following be appointed to the Traffic Commission for a three year term.

Raymond Zurowski, James Wolf, William Bumbalo, John Grubka, and Herb Warsitz.

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk,

Halicki, and Wasielewski.

MAYES:

0

ABSENT:

0

Item No. 25 Cheektowaga Planning Commission - amendment to zoning ordinance.

Referred to Town Board

Item No. 26 Rezoning - Mr. Frank Gordon, 385 Bennett Road.

Motion by Supervisor Weber, Seconded by Councilman Wroblewski

WHEREAS Frank J. Gordon has made an application and requested a rezoning of the property at 385 Bennett Road from R - Residence District to CM - General Commercial District; now therefore be it

RESOLVED that a Public Hearing be held regarding said request, under

-7-

8/17/70

#### Item No. 26 cont'd

the provisions of the Zoning Ordinance on September 8, 1970 at 2:00 o'clock p.m., Eastern Daylight Saving Time at the Cheektowaga Town Hall.

LEGAL NOTICE

NOTICE IS HEREBY GIVEN. that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York, at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road, on the 8th day of September, 1970, at 2:00 o'clock P.M., Eastern Daylight Saving Time, of said day for the purpose of considering the application of Frank J. Gordon for the Rezoning from R - Residence District to CM - General Commercial District of the property located at 385 Bennett Road, Cheektowaga, New York, and amending the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinances of the Town of Cheektowaga, New York.
All parties in interest and cit-

All parties in interest and citizens will be given an opportunity to be heard in regard to such proposed application.

such proposed application.

BY ORDER OF THE TOWN

BOARD

BOARD
Daniel E. Weber

Daniel E. Weber
Supervisor
Felix T. Wroblewski
Councilman
Frank E. Swiatek
Councilman
Joseph R. Obstarczyk
Councilman
Donald A. Halicki
Councilman
Raymond J. Wasielewski
Councilman
Kenneth J. Meyers
Councilman
BENEDICT T. HOLTZ
Town Clerk

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk,

Halicki and Wasielewski.

NAYES:

0

ABSENT:

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(Affidavit on Next Page)

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ss.:

. New York, at the To In the said Town of Cheek is, corner of Buosdway and a Bond, on the 8th day of ther, 1970, at 2:00 o'clock Se Eastern Daylight Saving of said day for the purof considering the applicafrom R - Residence to CM - General Com-idated to CM - General Com-idated District of the property at 355 Bennett Road, indicates, New York, and indicates the Zoning Map and issing the Zoning Map and the control of the Zoning issaes of the Town of actiowaga, New York.

I parties in interest and city will be given an opposity to be heard in regard to accompany the to be heard in regard to accompany the control of the proposed application. Daniel E. Weber ervisor Fair T. Wrobiewski **Councilmen** Frank E. Swintek Chemeilman Asseph R. Obstarczyk Councilman Donald A. Halicki

# RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

..... of the

# Herald and News

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 week day
of day of day of and that not more than six days intervened
between any two publications thereof.

Sworn to before me this Dy & day of

19/

Notary Public in and for Erie County

CAROL P. BENNETT
MOTARY PUBLIC, STATE OF NEW YORK
Qualified in Eric County
My Commission Expires March 30, 192

New York, at the Town I but the said Town of Cheekin Road, on the 8th day of mber, 1970, at 2:00 o'clock Eastern Daylight Saving Nine of said day for the pur-tion of considering the applica-se of Frank J. Gordon for the major from R - Residence Staniet to CM - General Com-side at 385 Berinett Road, institutionage, New York, and secondingly, pursuant the firm 10-00 of the Zoning threaders of the Town of activersy, New York. A secondingly pursuant the firm 10-00 of the Zoning threaders of the Town of activersy, New York. A second in interest and effi-table by given an oppor-tion to be beard in regard to account application. of said day for the pur-Dunici E. Weber Supervisor Felix T. Wroblewski Councilmen Frank E. Swintek

Councilman Joseph R. Obstarczyk Councilman Densid A. Halicki Councilman Raymond J. Wasielewski Councilman ıncilmən Kenneth J. Meyers Councilmen BENEDICT T. HOLTZ

Town Clerk

#### RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

**PUBLISHER** 

LEGAL MOTECE
MOTECE IN HEREBYT GIVEN that
a Public Hearing will be hold by
for Town Board of the Town of
Checktoways, Eric County, New
Tunk, at the Town Hall in the said
Town of Checktoways, corner of
Research and Union Read, on the
the day of September, 1970, at
Spill o'click P.M., Eastern Daylight Saving Time, of said day for
the purpose of considering the
Highlightion of Frank J. Gordon for
the Besoning from R-Residence production of Preak J. Gordon for the Benoming from R - Residence Ministed to CM - General Conditional District of the property Minated at 305 Bennett Rend, Sheektowaga, Hew York, and Ministed the Zening Map and Ministed accordingly, pursuant M. Sweller 10-00 of the Zening Ministed accordingly, pursuant M. Sweller 10-00 of the Zening Ministed of the Town of Check-Ministed, New York.

All Parties in interest and All parties in interest and All parties in interest and Misses will be given an opportainty to be heard in regard to such Joseph and application.

D'S ORDER OF THE TOWN MOARD.

Supervisor Daniel E. Weber Generalman Pela T. Wroblewski Siminflesen Prank E. Swinisk Supervison Daniel R. Obeiar-usyk

Somethman Joseph R. Obeiar-usyk

Somethman Raymond J. Waste-lewski

Councilman Kenneth J. Meyers

Councilman Kenneth J. Meyers Councilman Keeneth J. Meyers
BENEDICT T. HOLTZ,
Town Clerk Town Clerk

and the second

#26

STATE OF NEW YORK COUNTY OF ERIE TOWN OF CHEEKTOWAGA

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

first publication July 20,1970; last publication July 20,1970; and that no more than six days intervened between publications.

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

The second of th

GLORY ANN KRYSINSKI

NOTARY PUBLIC STATE OF NEW YORK

QUALIFIED IN EASE COUNTY

MY COMMISSION EXPIRES MARCH 36, 19 22

Item No. 27 Councilman Wasielewski's Comments

Item No. 28 Councilman Meyers Comments

Item No. 29 Supervisor Weber's Comments

- A. Water Pollution Abatement Program Copies given to Town Board
- B. Raw Sewage Discharge, Rosary Hill Area Received and Filed

### IV RESOLUTIONS

Item No. 30 Motion by Supervisor Weber, Seconded by Councilman Halicki

BE IT RESOLVED, that the position of Account Clerk Typist be created in the Accounting Department, with a rate of \$6,900 annually.

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk,

Halicki and Wasielewski.

NAYES:

0

ABSENT:

Item No. 31 Motion by Councilman Wasielewski, Seconded by Councilman Wroblewski

WHEREAS, sanitary sewer extension is needed east of Broadway in sanitary sewer district no. 3, and

WHEREAS, the firm of Nussbaumer & Clark, have prepared plans and specifications of construction of sanitary sewers, now therefore be it

RESOLVED, that the Town Clerk is directed to publish Notice To Bidders in connection with Broadway extension in sanitary sewer district no. 3, notice to be published in the Cheektowaga Times, the Depew Herald and the Cheektowaga News, and be it

FURTHER RESOLVED, that the Town Board meet on the 21st day of September, 1970 at 7:30 p.m., E.D.S.T., for the purpose of receiving sealed bids at which time they will be publicly opened by the Town Board at a public meeting.

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LEGAL NOTICE TO CONTRACTORS

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of Cheektowaga, Erie County, New York, sealed proposals will be received and considered by said Town Board on the 21st day of September, 1970, at 7:30 P.M., E.D. S.T., in the Town Hall, Broadway and Union Road, Cheektowaga, New York for furnishing all tools, equipment, materials and together with all labor for the construction of approximately 513 lineal feet of 8 inch diameter pipe, along Route 130 (Broadway), in Sanitary Sewer District No. 3, Town of Cheektowaga, Erie County, New York, including manholes and other related work in accordance with the Contract Document therefor, including plans, specifications, instructions to bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for the Town of Cheektowaga, New York, and approved by the Town Board, all of which are on file with the Town Clerk at his office in the Town Hall, Broadway and Union Road, Cheektowaga, New York, where the same may be examined during the usual business hours.

Copies of the proposed contract documents, plans, specifications, and instructions to bidders may also be examined at the office of Nussbaumer & Clarke, Inc., 310 Delaware Avenue, Buffalo, New York 14202. One copy of said proposed documents may be obtained upon payment of \$30.00. Any bidder, upon returning said plans and contract documents in good condition, within thirty (30) days following the taking of bids, will be refunded the full amount of his deposit; non-bidders will similarly be refunded only one-half of the deposit.

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

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

No bidder may withdraw his bid within forty-five (45) days after the date set for the opening thereof, but may withdraw same any time prior to the scheduled time for opening of

UPON ROLL CALL

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk,

Halicki and Wasielewski.

NAYES:

0

ABSENT:

(Affidavit on Next Page)

COUNTY OF ERIE

Select Society
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And, Sormerly, And,
And, Sormerly, And,
Sormerly, Select Sormer Sorm

## RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

# Herald and News

Cheektowaga and Lancaster, and published at Depew,
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slip taken from said newspaper, is a copy, was inserted and published therein once a week for
week, the first insertion being on the last insertion being on the day of
and that not more than six days intervened
between any two publications thereof.

this Jules day of

Guguet, 19 %

Notary Public in and for Erie County

CAROL P. BENNETT
NOTARY PUBLIC, STATE OF NEW YORK
Qualified in Eric County
My Commission Expires March 30, 19

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Succitate will be received in a considered by said. Town or an the 21st day of significant and the Town Hall, Broad-atte Union Road, Chickto-Grew York life termstring an appropriate the termstring an appropriate meterials before with all labor for another with all labor for another tection of approximate limits for a long boute 130 labor, in Significant Services of Chackening matched by South a Chackening matched and other a vort in accommon to the with the said of the considered by Numbers with the said of the considered by Numbers and a labor for the considered by Numbers and said the Chackening part in accommon to be said to the said of the considered by Numbers and the said of Chackening and the Chackening part of the Numbers and a labor for the considered by Numbers and the considered by Numbers and

New York, results and the refunded the full similarly be refunded the full similarly be refunded to the refunded the full similarly be refunded to the full of his deposit; non-bid-similarly be refunded to the deposit, flown of Cheek programments.

in to reject any or all in waive any informa-to make an award to in the low bidder. proposal must be ac-sed by a certified check (5%) of the estimated exof the total improvement, e to the order of the Susor, or a bond with suffict sureties to be approved by e Supervisor, in a penal sum al to five per centum (5%) the estimated expense of covernents, conditioned that in his proposal is accepted, he will enter into a contract for the same, and that he will exscute such further security as may be requested for the fatherul performance of the con-

No bidder may withdraw his bid within forty-five (45) days after the date set for the opening thereof, but may withdraw same any time prior to the scheduled time for opening of

BENEDICT T. HOLTZ Town Clerk Dated: August 17, 1970 Published: August 20, 1979

## RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

#### **PUBLISHER**

of the

**#26** 

# 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 week, the first insertion being on the Lots, day

MOTICE TO CONTRACTO NOTICE IS HEREBY GIVEN nt to a resolution of the Tor eard of Checktowaga, Brie County, New York, sealed pro-penals will be received and con-differed by said Town Board on the Stat day of September, 1970, at 7:30 P.M., E.D.S.T., in the Town Mail., Broadway and Union Road, towaga, New York for furching all tools, equipment, mariels and together with all labor Construction of approxiby 513 lineal feet of 8 inch meter pipe, along Route 120 Sendway), in Sanitary Sewer Strict No. 3, Town of Cheek pa, Erle County, New York, ding manholes and other led work in accordance with Contract Document therefor, ding plans, specifications, in-elions to hidders, etc., preted by Nussbaumer & Chrise, Consulting Engineers for the approved by the Town Board, of which are on file with the Clerk at his office in the Mally Broadway and Union ekiowega, New Mork, the same may be examined the usual begin ess hours. s of the proposed contract

Coules of the proposed contract degreesers, plans, specifications, and festivactions to hiddern may also be examined at the office of Squahammer & Claric, Inc., 210 Defenance Avanue, Suffale, New York 14302. One copy of said graposed documents may be obtained upon payment of \$50.00. Atg. hidder, upon returning said plane and contract documents in miles condition, within therty (30) days following the taking of hids. We refunded the full amount of his deposit; non-hidders will ministerly be refunded only one-half of the deposit.

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

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

No bidder may withdraw his bid within forty-five (45) days after the date set for the opening thereof, but may withdraw same any time prior to the scheduled time for opening of bids.

BENEDICT T. HOLTZ, Town Clerk DATED: August 17, 1970. PUBLISHED: August 20, 1970. (a20)

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA

WILLARD C. ALLIS, of the Town of Cheek-towaga, 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 .......

first publication (1970); last publication (1970); and that no more than six days intervened between publications.

Hillard C. allis

Sworn to before me this ..........

eayor august

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

Item No. 32 Emergency repair work at Incinerator

Tabled by Councilman Wasielewski and Councilman Wroblewski until the September 8, 1970 Meeting.

Item No. 33 Motion by Councilman Swiatek, Seconded by Councilman Meyers

WHEREAS Mother of Divine Grace Church presently conducts a school at 520 Maryvale Drive, Cheektowaga, New York, and

WHEREAS Mother of Divine Grace Church in cooperation with the Town of Cheektowaga is desirous of operating a Youth Recreation Project as a pilot program, and

WHEREAS the Town is a municipality eligible to receive reimbursement from the State of New York for sponsoring a Youth Recreation Project, and

WHEREAS said Youth Recreation Project shall be open to all youth regardless of race, color or creed NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga sponsor a Youth Recreation Project and enter into an Agreement, a copy of which is attached and made a part: hereof, and that said Town pay a sum not to exceed \$375.00 to Mother of Divine Grace Church for the operation of said Youth Recreation Project at the school, and be it

FURTHER RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is directed to execute the attached Agreement.

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk,

Halicki and Wasielewski.

NAYES:

ABSENT:

Item No. 34 Motion by Councilman Swiatek, Seconded by Councilman Meyers

WHEREAS the Young Men's Christian Association presently conducts a facility at 260 Eggert Road, Cheektowaga, New York, and

WHEREAS the Young Men's Christian Association in cooperation with the Town of Cheektowaga is desirous of operating a Youth Service Project, and

WHEREAS the Town is a municipality eligible to receive reimbursement from the State of New York for sponsoring a Youth Service Project, and

WHEREAS said Youth Service Project shall be open to all youth regardless of race, color or creed, NOW, THEREFORE BE IT

RESOLVED that the Town of Cheektowaga sponsor a Youth Service Project and enter into an Agreement, a copy of which is attached and made a part hereof, and that said Town pay a sum not to exceed \$4,000. to the Young Men's Christian Association for the operation of said Youth Service Project at the facility at 260 Eggert Road, Cheektowaga, New York, and be it further

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is directed to execute the attached Agreement.

UPON ROLL CALL...

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk,

Halicki and Wasielewski.

NAYES:

ABSENT:

Motion by Supervisor Weber, Seconded by Councilman Halicki Item No. 35

BE IT RESOLVED, that permission be given to New York State Electric and Gas Corporation to locate poles along the private Town Highway from an existing pole to the rear of the Highway garage for approximately 206 feet to service the new Erie County Fire Training Facility.

### Item No. 35 cont'd

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk,

Halicki, and Wasielewski.

NAYES:

**ABSENT:** 

Motion by Councilman Obstarczyk, Seconded by Councilman Swiatek Item No. 36

RESOLVED,  $\mid$  that permission be given to New York State Electric and Gas Corporation to install the following:

> ARMOND LANE - Install 2 - 7000 lumen post top units, mounted on existing wooden line poles.

SHERRY DRIVE - Install 1 - 7000 lumen post top unit, mounted on existing wooden line poles.

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Meyers,

Halicki and Wasielewski.

NAYES:

0

ABSENT:

Motion by Councilman Halicki, Seconded by Councilman Wroblewski Item No. 37

BE  $_{\parallel}\text{IT}$  RESOLVED that the following transfer of funds in the General Fund be approved:

From Account Number	To Account Number	Amount
03-155-000	03-158-000	\$5,133.24
03-155-000	03-001-031	1,000.00
03-155-000	03-001-021	500.85
03-005-015	03-005-031	1,000.00
03-040-037	03-040-031	500.00
03-065-034	03-065-041	300.00
0 <b>3</b> -065-0 <b>34</b>	03-065-042	15.21
03-155-000	03-225-000	1,450.00
03-155-000	03-230-000	1,666.66
03-071-031	03-071-137	105.00
03-160-000	03-020-018	3,270.92
03-160-000	03-035-032	254.08
03-160-000	03-045-031	1,475.00
03-065-002	03-065-031	4,103.28
03-160-000	03-080-031	171.21
03-065-002	03-260-033	2,999.51
03-065-002	03-065-004	20,470.00
03-130-000	03-132-000	39,536.92
03-131-000	03-133-000	9.180.25
03-130-000	03-133-000	30,604.03

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk

Halicki and Wasielewski.

NAYES:

ABSENT: 0

Motion by Councilman Halicki, Seconded by Councilman Wroblewski Item No. 38

BE IT RESOLVED that the following transfer of funds from the Court Stenographer position to Contract Services in the Justice Department be approved:

> <u>To</u> <u>Amount</u> <u>From</u> 03-005-033 \$3,434.38 03-005-014

8/17/70

-12-

## Item No. 38 cont'd

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk,

Halicki, and Wasielewski.

MAYES:

ABSENT:

Appointment of Thomas Kolbert <u>Item No. 39</u>

0

Tabled by Councilman Swiatek and Councilman Meyers until the September 8, 1970 Meeting. The position of Court.Clerk has to be created.

Reappointment of Herb Warsitz to Traffic Safety Commission Item No. 40 Refer to Item No. 24

Item No. 41 Motion by Councilman Halicki, Seconded by Councilman Wroblewski

BE IT RESOLVED that the following named vouchers and warrants submitted to the Town of Cheektowaga for the period ending August 17, 1970 be and hereby are approved and that the Supervisor pay said warrants:

FUND	FROM	<u>T0</u>	AMOUNT
Genera1	7506	7595	\$130,796.92
Special Districts	3304	3345	159,807.53
Hi ghway	2535	2571	87,044.76
Part Town	627	634	1,861.26
Trust & Agency	253	253	3,625.74
			\$383,136.21

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk,

Halicki, and Wasielewski.

NAYES: ABSENT:

Motion by Councilman Obstarczyk, Seconded by Councilman Swiatek Item No. 42

WHEREAS the firm of Ecology and Environment, Inc. has been asked for a proposal for the investigation of available alternatives for refuse disposal methods and

WHEREAS said proposal has been submitted, dated August 14, 1970, now

therefore, be it

RESOLVED, that the firm of Ecology and Environment, Inc. of 1122 Union Road, West Seneca, New York be hereby retained to perform approximately four hundred (400) man-hours of engineering and scientific services at a cost of \$5,900.00 and in accordance with the statement of proposed work, which is attached hereto and made a part of this resolution.

UPON ROLL CALL....

AYES:

Councilmen Swiatek, Obstarczyk, Meyers, and Halicki.

NAYES:

Supervisor Weber, Councilmen Wroblewski, and Wasielewski.

**ABSENT:** 

Motion by Councilman Wroblewski, Seconded by Councilman Halicki Item No.

CAPITAL NOTE RESOLUTION, DATED AUGUST 17, 1970 AUTHORIZING THE ISSUANCE OF \$22,000.00 CAPITAL NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE CONSTRUCTION OF SIDEWALKS IN THE TOWN OF CHEEKTOWAGA

Item No. 43 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 \$22,000.00 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 construction of sidewalks and incindental piping in the Town of Cheektowaga, Erie County, New York Section 3. It is hereby stated that (a) the maximum cost of said purpose as estimated by the Town Board, is \$22,00.00 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 from funds raised by the issuance of said Capital Notes and

Section 4. It is hereby determined that said purpose is an object or purpose described in Subdivision 35 of Paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose if 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 Cheektowaga Times, 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.

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Halicki, Wasielewski,

Obstarczyk and Meyers.

NAYES:

ABSENT:

Motion by Councilman Wroblewski, Seconded by Councilman Halicki

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

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

- (1) Capital Notes of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$22,000. shall be issued pursuant to the Capital Note resolution entitled "Capital Note Resolution, Dated August 17th, 1970. Authorizing the Issuance of \$22,000.00 Capital Notes of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law, to Finance the Construction of Sidewalks in the Town of Cheektowaga". Said Capital Notes shall be designated "Sidewalk Construction and Incindental Piping connected therewith Capital Notes, Series Said Capital Notes shall consist of two notes of the denominations of C of 1970". \$11,000.00 and \$11,000.00 numbered 1 and 2, in the order of their maturity, and shall constitute an issue of Capital Notes payable in annual installments on April 1 in each of the years 1971 and 1972.
- (2) Each of said Capital Notes shall be dated as of a date on or subsequent to August 17, 1970 and shall bear interest from their date at the rate of five and three-quarters per cent (5 3/4%) per annum. The interest on the Capital Notes shall be payable annually on April 1.

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Item No. 43 cont'd

(3) Both principal of and interest of said Capital Notes shall be payable at the Marine Midland Trust Company of Western New York of Cheektowaga, 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 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 resolutions, are hereby delegated to the Town Supervisor. Said Capital Notes shall be sold to the Marine Midland Trust Company of Western New York of Cheektowaga, New York, at private sale and shall bear an interest rate of five and three-quarters per cent (5 3/4%) per annum.
- (6) The faith and credit of the Town of Cheektowaga are hereby pledged to payment of said Capital Notes and the interest thereon as the same become due and payable.

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers.

NAYES:

0

ABSENT:

0

The capital note resolution published herewith has been adopted on the 17th day of August 1970, and the validity of the olbigations authorized by such capital note resolution may be hereafter contested only if such obligations authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice; or such obligations were authorized in violation of the provisions of the Constitution of New York.

BENEDICT T. HOLTZ
TOWN CLERK
of the Town of Cheektowaga
New York

LEGAL NOTICE

CAPITAL NOTE RESOLU-TION, DATED AUGUST 17, 1970 AUTHORIZING THE IS-SUANCE OF \$22,000.00 CAPI-TAL NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE CON-STRUCTION OF SIDEWALKS IN THE TOWN OF CHEEKTO-WAGA.

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 \$22,000.00 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 construction of sidewalks and incidental piping in the Town of Cheektowaga, Erie

County, New York.

Section 3. It is hereby stated that (a) the maximum cost of said purpose as estimated by the Town Board, is \$22,000.00, 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 from funds raised by the issuance of

Section 4. It is hereby determined that said purpose is an object or purpose described in Subdivision 35 of Paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five years.

said Capital Notes and

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.

be in excess of five years.

Section 6. This resolution shall be published in full by the

Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the Depew Herald and Cheektowaga News and Cheektowaga Times, newspapers published and having a general circulation in said Town. The validity of said Capital Notes may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with at the date of publication of this resolution were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution of New York.

Section 7. This resolution shall take effect immediately upon

its adoption.

The capital note resolution published herewith has been adopted on the 17th day of August, 1970, and the validity of the obligations authorized by such capital note resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice; or such obligations were authorized in violation of the provisions of the Constitution of New York.

BENEDICT T. HOLTZ Town Clerk of the Town of Cheektowaga, New York

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STATE OF NEW YORK COUNTY OF ERIE

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The Court, and London Services of American Services

#### RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

.... of the

# 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 week, the first insertion being on the week, the first insertion being on the day of and that not more than six days intervened between any two publications thereof.

Sworn to before me this 244 day of

11/1

Notary Public in and for Erie County

CAROL P. BENNETT
MOTARY PUBLIC, STATE OF NEW YORK
Qualified in Eric County
My Commission Expires March 30, 192

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#### RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

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AT SELECTION OF NOTICE OF SELECTION OF SELECTION OF SELECTION OF SELECTION OF CHEERTO
RESOLVED by the masses of the Town of Selection of Selections.

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Section 5. It is hereby deterfield that the proposed matticle by this resolution will not be by spread of five years.

in excess of five years.

Section 6. This resolution
if he published in full by the Clerk of said Town, towith a notice in subtally the form prescribed lection 81.00 of said Local nee Law, and such publicashall be in the Depew Herd Cheektowaga News and atowaga Times, newspapers blished and having a general realistion 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.

its adoption. The capital note resolution published herewith has been adopted on the 17th day of August, 1970, and the validity of the obligations authorized by such capital note resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice; or such obligations were authorized in violation of \$5.

Town Clerk of said Town, together with a notice in substantially the four processibild
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BENEDICT T. HOLTZ

Town Clerk of the Town of Cheektowaga,
New York

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

**PUBLISHER** 

of the

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CAPITAL NOTE RESOLUTION, DATED AUGUST 17, 1916, AUTHORIZING THE MOUANCEOF DATED \$22,000.00 CAPITAL NOTES OF THE TOWN OF CHEERTOWAGA, THE COUPTY OF EME, PUR-IT TO THE LOCAL PINANCE TO FINANCE CONSTRUC-OF SIDEWALKS IN THE OF CHEEKTOWAGA IT RESOLVED by the Town mty of Erie, as follows: m 1. The Town of Checkin the County of Eric, me its Capital Notes of progride principal amount of 0.00 purchast to the Local to Law of New York, hierder ance the specific object or to hervineter describes. n 2. The specific purpose for referred to as " per-") to be financed by the pace of such Capital Notes is truction of sidewalks and inci-al piping in the Town of Cheek-ga, Eric County, New York. mentures cost of said in as estimated by the Town, is \$22,000.00, and (b) no has heretobre beer authories be applied to the payment dost of such purpose, and Town Board plans to fi t of said purpose from 11.00 of the Local Pinance at that the period of probable sen of said purpose is fire ed materity horized by d in fall by the Town of said Town, tog dially the force tion \$1.00 of sald rwspaper published and seral circulation in said The validity of said Capital may be contested only if obligations are suthorized for ct or purpose for which in is not authorized to money, or the provisions law which should be complied k at the date of publication of s resolution were not substany complied with, and an action, it or proceeding contesting such alidity is commenced within nty days after the date of such Meation; or if said obligations are authorized in violation of the provisions of the Constitution of

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Section 7. This resolution shall take effect immediately upon its

The capital note resolution pr Mehod berewith has been ad on the 17th day of August, 1970, 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 Cheektowaga, in the County of Erie, is not authorised to expend money, or if the provisions of law which should have sen complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commeaced 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.

BENEDICT T. HOLTZ, Town Clerk of the Town of Checkiowaga, New York

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA

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

last publication August 20,1720; last publication August 20,1770...; and that no more than six days intervened between publications.

Swern to before me this 2/st

day of august 1976

Blory Lenn Rupusk

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

THE CONTRACTOR OF THE CONTRACT

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Acceptance of Coatesworthy Subdivision Part 4 Item No. 44 Tabled by Supervisor Weber and Councilman Wroblewski until the September 8, 1970 Meeting. Motion by Councilman Wroblewski, Seconded by Councilman Halicki Item No. 45 WHEREAS FAward Kramer and Arlene Kramer, owners of premises known 35 , Town of Cheektowaga, New York have requested that a walkway on the westerly line of the Town of Cheektowaga, adjacent to the westerly edge of said property and running in a northerly direction be removed and the Town of Cheektowaga easement affecting same be released; and said Edward and Arlene Kramer are willing to grant an easement to the Town of Cheektowaga for maintaining a sidewalk at another location upon said premises, and WHEREAS the present walkway was heretofore used to provide egress from Cleveland Drive to bus stop on Kensington Avenue for said bus stop has since been relocated, and said walkway has fallen into disuse and disrepair, THEREFORE BE IT RESOLVED that said sidewalk be removed and discontinued, and be it FURTHER RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is authorized to sign a release of the easement covering the present walkway, said release of easement agreement to be prepared by the Town Attorney and a description of said property to be released is attached hereto and made a part hereof and referred to as Exhibit "A", and be it further RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is authorized to execute the proposed easement for a new location, the agreement for said easement containing the proper description is attached hereto and made a part hereof, and which is referred to as Exhibit "B". UPON ROLL CALL.... AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki, Wasielewski and Meyers. NAYES: ABSENT: Item No. 46 Improvement of portion of Roycroft Blvd. Referred to Town Attorney. FROM THE TABLE Award of Contract for Dump Site Operation Item No. 47 Motion by Councilman Wroblewski, Seconded by Supervisor Weber WHEREAS, the Town of Cheektowaga has heretofore engaged the services and use of the premises leased and/or owned by Wilfred E. Schultz Inc., 337 North Ogden Street for the purpose of Land Fill Garbage and Refuse Disposal Operation, and WHEREAS, said contract for the said services has expired, now therefore be it RESOLVED, that the Town of Cheektowaga enter into a Land Fill Garbage and Refuse Disposal Contract with said Wilfred E. Schultz, Inc., 337 North Ogden Street, Buffalo, New York in accordance with the terms and conditions set forth in the agreement attached hereto and made a part of this resolution, and be it further RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is directed to sign and execute said contract on behalf of the Town of Cheektowaga be and hereby is directed to sign and execute said contract on behalf of the Town of Cheektowaga. day of August, in the year One THIS AGREEMENT, made this Thousand Nine Hundred Seventy. BETWEEN, WILFRED E. SCHULTZ, INC., 337 North Ogden Street, Buffalo New York, hereinafter known as the LESSOR, and the Town Board of the TOWN OF CHEEK-TOWAGA, on behalf of the Consolidated Refuse & Garbage District of the Town of Cheektowaga, hereinafter known as the LESSEE. -16-8/17/70

#### Item No. 47

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, on the south side of Broadway, as shown on a map filed in the Erie County Clerk's Office under Cover No. 499, having a frontage of about 395 feet, and being 1499 feet on the east, about 1330 feet on the west and along the north bank of Cayuga Creek on the South, containing 20 acres, more or less, in accordance with a map attached hereto for the term of one year to commence on the 1st day of September, 1970 and to end on the 1st day of September 1971 at 8:00 o'clock in the forenon. This lease will renew itself from year to year (unless either party notifies the other with six months written notice before its anniversary date), upon the same terms and conditions.

The LESSEE agrees to pay the LESSOR the annual rental of Seven Thousand Five Hundred Dollars (\$7,500.00) in equal monthly payments of Six Hundred Twenty-Five (\$625.00) Dollars on the 1st day of each and every month, beginning September 1, 1970 upon presentation of a monthly voucher by the LESSOR for said rental; subject to the express condition that the LESSEE will hire the equipment including trucks and buildozers of the LESSOR, exclusively, at rates not to exceed the prevailing and authorized state contract rental rates for similar equipment, as set forth in the New York State Contract schedules, in the use of the said premises as land fill garbage and refuse disposal operation, upon such terms as are agreed upon by the parties hereto.

WITNESS whereof the parties hereto have hereunto set their hands and seals the day first written above.

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Halicki, and Wasielewski.

NAYES:

Councilmen Swiatek, Obstarczyk and Meyers.

**ABSENT:** 

### VI SUSPENSION OF RULES

Payment of overtime to Myron Shisler, Engineering Department. Item No. 48

Motion by Councilman Wasielewski, Seconded by Supervisor Weber

RESOLVED, that Myron Shisler be paid for working overtime on the Special Lighting Districts.

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers.

MAYES:

ABSENT: 0

Widening of Borden Road, Town of Cheektowaga. Item No. 49

Motion by Supervisor Weber, Seconded by Councilman Wroblewski

WHEREAS Borden Road in the Town of Cheektowaga is a heavily traversed highway used by the residents of the Town and others and

WHEREAS it is deemed necessary that said road be widened in the immediate future, THEREFORE, BE IT

RESOLVED that the Erie County Board of Legislators be and hereby is memorialized to provide for the widening of Borden Road beginning at Broadway and going south to Clinton Street, and be it

FURTHER RESOLVED that a copy of this resolution be forwarded to the Clerk of the Board of Legislators of the County of Erie, to Dale Bossert and to the four (4) legislators representing the County of Erie.

UPON ROLL CALL....

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki

Wasielewski and Meyers.

NAYES:

ABSENT:

8/17/70

-17-

Item No. 50 Petition from residents of Laurentian Drive.
Referred to Town Engineer and Highway Superintendent.

Item No. 51 Authorization for six men to attend Voting Machine School

Motion by Supervisor Weber, Seconded by Councilman Swiatek

RESOLVED that the following men are authorized to attend the Voting Machine School at Jamestown, New York with all reasonable expenses incurred to be paid by the Town:

Henry Abramowski Donald Pawlak Donald Szprygada

Myron Shisler Ted Brudz Daniel Andrzejewski

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers.

NAYES: ABSENT:

0

Item No. 52 Motion by Councilman Wroblewski, Seconded by Councilman Halicki to adjourn the Meeting.

8/17/70

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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, corner of Broadway and Union Road, in said Town on the 8th day of September, 1970 at 2:30 o'clock p.m., Eastern Daylight Saving Time there were:

PRESENT: Supervisor Daniel E. Weber
Councilman Felix T. Wroblewski
Councilman Frank E. Swiatek
Councilman Kenneth J. Meyers
Councilman Joseph R. Obstarczyk
Councilman Donald A. Halicki
Councilman Raymond J. Wasielewski

ABSENT: 0

Also present were: Benedict T. Holtz, Town Clerk; John V. Rogowski, Town Attorney; Robert Miller, Deputy Town Attorney; Thaddeus Skowron, Highway Engineer; Edward Banko, Superintendent of Sanitation; Benedict L. Kostrzewski, Chief of Police; Ronald R. Norman, Receiver of Taxes.

Supervisor Weber opened the meeting with a prayer.

#### I. BIDS

Item No. 2 Two (2) snow plows for the Highway Department.

Referred to the Highway Department.

#### II. GENERAL COMMUNICATIONS

Item No. 3 New York State Highway Department - designation of restricted highway - Union Road. Received and filed.

Item No. 4 Erie County Department of Public Works - widening of Borden Road between Broadway and Clinton.

Received and filed.

Item No. 5
French Road.

Referred to the Traffic Safety Commission and the Chief of Police.

Item No. 6 South Line Fire District No. 10 - request for two fire hydrants.

RESOLVED that Erie County Water Authority is authorized to install fire hydrants at the following locations:

1 hydrant on the southwest corner of French and Borden Roads 1 hydrant on the northwest corner of Transit and French Roads

Upon Roll Call----

Opon Koli (ali-

Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk,

Motion by Councilman Wroblewski, seconded by Councilman Swiatek----

Halicki and Wasielewski

NAYS:

0

ABSENT:

0

Item No. 7 Sloan Public Schools - communication to Mr. Stanley Bystrak, Highway Superintendent.

Received and filed.

9/8/7n

-1-

Item No. 8 Anthony P. LoRusso, Committeeman, District #84 - Towers Boulevard and Eiffel Estates.
Referred to Councilman Obstarczyk.

Summons & Complaint - Mary Jane and Charles W. Clark vs the Town of Referred to the Town Attorney, John V. Rogowski.

Item No. 10 Pleading - Benderson Development Co., Inc., vs the Board of Assessors of the Town of Cheektowaga.

Referred to the Town Attorney.

# III. DEPARTMENTAL COMMUNICATIONS

Item No. 11 Building Permits.

Motion by Councilman Wroblewski, seconded by Supervisor Weber----

RESOLVED that the building applications submitted to the Building and Plumbing Department September 8, 1970 be approved with the following exceptions:

#### Tabled:

Consolidated Motor Inns, Walden Avenue, Erect br ven con bik motel, est. cost \$3,000,000.00.

Crea Construction Co., 2345 Union Road, Erect stone panel bank, est. cost \$187,000.00.

Wright Assoc. Bldg. Corp., Pine Ridge Road, Erect brick svc. building, est. cost \$150,000.00.

Pitt-Orchard, Inc., 550 Dick Road, Erect con blk restaurant, est. cost \$91,000.00.

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk,

Halicki and Wasielewski

NAYS:

0

ABSENT:

0

Item No. 12 Air Pollution Control Board - Minutes of August 20, 1970 Meeting regarding Darling & Company.

Received and filed.

Item No. 13 Stanley Bystrak - acceptance for Town Highways - South Prince Drive, Prince Drive and Lou Drive.
Referred to Supervisor Weber.

Item No. 14 Stanley Bystrak - transfer of balance of Shade Tree Fund from the General Fund to the Highway Fund.

Referred to the Town Board and to Mr. Malloy, Accounting Department.

Item No. 15 Ronald R. Norman - report covering all monies received and disbursed in connection with the 1970 State, County and Town Real Property Tax levy; and 1969-70 individual School District Collection.

Received and filed.

Item No. 16
Pool 1971.

Gary Hanley, Pool Manager - Projected Budget Cheektowaga Municipal Referred to the Town Board.

Item No. 17 Arthur F. Marmoy, Director of Senior Citizens Activities - Adult Recreation Budget for 1971. Referred to the Town Board.

Stanley Bystrak - appointment of Maryanna S. Stafflinger, to position of Clerk-Typist in the Highway Department.

Motion by Councilman Wroblewski, seconded by Councilman Wasielewski----

RESOLVED that Maryanna S. Stafflinger, , Cheektowaga, New York be appointed to the position of Clerk-Typist in the Highway Department at a starting salary of \$4,675.00 per year.

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk,

Halicki and Wasielewski

NAYS:

ABSENT:

0

Stanley Bystrak - approval of Ted Skowron to attend "Town and County Officers Training School" at Erie Community College.

Motion by Councilman Swiatek, seconded by Councilman Wroblewski ----

RESOLVED that Thaddeus Skowron, Highway Engineer, be authorized to attend a 12-week training course, "Town and County Officers Training School", at Erie Community College.

FURTHER RESOLVED that the Town of Cheektowaga will pay necessary expenses for meals and mileage.

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk,

Halicki and Wasielewski

NAYS:

ABSENT:

Dr. Louis A. Vendetti - request permission to attend Annual American Item No. 20 Public Health Conference in Houston, Texas. Referred to the Town Board.

Carl Trafalski - request permission to attend Building Officials Con-Item No. 21 ference at Grossinger's. Referred to the Town Board.

Chester Bryan - request permission to attend a conference in Dallas, Item No. 22 Texas. Referred to the Town Board.

Chester Bryan - replacement of force main sewer at Union Road Pumping Item No. 23 Station.

Motion by Supervisor Weber, seconded by Councilman Wasielewski----

RESOLVED that the firm of Nussbaumer & Clarke, Inc., is authorized to prepare plans and specifications as provided for by Section 2028 of the Town Law, for the reconstruction of the sanitary sewer force main from the Union Road Pump Station to the Cleveland Drive sewer, a total distance of approximately 1,500 feet. The reconstruction of this line will consist of replacing the present twelve inch (12") outside diameter steel pipe with a twelve inch (12") inside diameter cast iron pipe with mechanical joints.

Upon Roll Call----

Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk,

Halicki and Wasielewski

NAYS:

ABSENT:

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9/8/70

Benedict Kostrzewski - appointment of six patrolmen. Item No. 24

Motion by Councilman Halicki, seconded by Councilman Meyers---

RESOLVED that the following individuals be appointed to the positions of Patrolmen with the Cheektowaga Police Department at a starting salary of \$7,800.00 per year:

> T. J. Tehan, P. D. Mercurio, B. D. Chamberlin. M. E. Nacke, M. J. Ambrose, F. J. Lukowski,

FURTHER RESOLVED that these appointments are effective September 14, 1970.

Upon Roll Call----

Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk, AYES:

Halicki and Wasielewski

**NAYS: ABSENT:** 0

Councilman Obstarczyk offered the following amendment to the resolution, which was seconded by Councilman Meyers----

> RESOLVED that G. Wolanski, , be added to the list of

appointees.

Upon Roll Call----

AYES: Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk, Halicki and

Wasielewski

NAYS: Supervisor Weber O

ABSENT:

Benedict Kostrzewski - appointment of seven school guards. Item No. 25

Motion by Supervisor Weber, seconded by Councilman Wasielewski----

RESOLVED that the following individuals are appointed as School Guards at a starting salary of \$2.00 per hour:

> Carol Vaughan, Mary Letizia, Jean Cyrankowski,

Sandra Nagel, Patricia Knox,

Elmer Petz, Charlotte Damian, Cheektowaga, New York

Cheektowaga, New York , Cheektowaga, New York

, Cheektowaga, New York , Cheektowaga, New York

, Cheektowaga, New York , Cheektowaga, New York

Upon Roll Call----

AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk,

Halicki and Wasielewski

NAYS:

0

ABSENT:

Chester Bryan - regarding Dempster-Dumpster bid. Item No. 26

Referred to the Town Attorney, John V. Rogowski.

Raymond Matot - use of the Town Council Chamber for meetings. Item No. 27

Referred to the Town Board.

Councilman Obstarczyk's comments. Item No. 28

Motion by Councilman Swiatek, seconded by Councilman Obstarczyk----

\_4\_

9/8/70

#### Item No. 28 cont'd

RE\$OLVED that the Town Attorney is hereby authorized to appoint an architect and inspector to take a survey of the property located at 85 Dartwood Drive, Cheektowaga, New York to determine whether the building is unsafe and in a dangerous condition. The Town Attorney is also authorized to notify the owner of said property to appoint a practical builder, engineer or architect to survey said premises.

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk,

Halicki and Wasielewski

NAYS:

ABSENT: 0

Item No. 29 Supervisor Weber's comments.

#### IV. RESOLUTIONS

Item No. 30 Creation of position of Clerk to the Town Justices. Motion by Councilman Halicki, seconded by Supervisor Weber to table until September 21, 1970.

Item No. 31 Motion by Supervisor Weber, seconded by Councilman Halicki----

RESOLVED that Julia O'Donnell be appointed Account Clerk-Typist Provisional in the Accounting Department at \$6,900.00 per year, effective immediately.

AND THAT she be granted a leave of absence from her present position of Clerk-Typist in the Accounting Department for a period of one (1) year.

Upon Roll | Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk,

Halicki and Wasielewski

NAYS:

ABSENT:

0

Motion by Councilman Obstarczyk, seconded by Councilman Halicki----Item No. 32

RESOLVED that lighting be installed at the Cheektowaga Police Station driveway, front and rear per a New York State Electric & Gas Corporation proposal.

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk,

Halicki and Wasielewski

NAYS:

ABSENT:

0

Motion by Councilman Obstarczyk, seconded by Councilman Halicki----Item No. 33

RESOLVED that Niagara Mohawk Power Corporation be granted permission to install the following:

#### HERITAGE COURT

Install 2 - 100 watt mercury vapor post top lantern type street lights on company-owned 10' steel lamp standards, standard underground service.

#### EGGERT ROAD

Install 2 - 400 watt mercury vapor enclosed street lights on company-owned wood poles, standard overhead service.

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk,

Halicki and Wasielewski

NAYS:

ABSENT:

0

9/8/70

-5-

Item No. 34 Motion by Councilman Wroblewski, seconded by Supervisor Weber----

WHEREAS it is necessary to employ eighteen (18) Dog Enumerators to take the 1971 Dog Census; now therefore be it

RESOLVED that the following be appointed as Dog Enumerators:

Marion Olejniczak,

2.) Irene Grzybowski,

3.) Lucy T. Szrama,

4.) Eugenia Massalski, 5.) Henrietta Marciniak.

6.) Eileen Nowak,

7.) Louise Tabone,

8.) Patricia Kubick,

9.) Florence Young,

10.) Ann Kierejewski.

11.) Freda Glim,

12.) Christine Czaja,

13.) Kathleen Petko,

14.) Frances Vesona,

15.) Alice Herrman,

16.) Edna Mae Klinshaw,

17.) Amelia Baumgartner,

18.) Josephine Nedescu,

Buffalo, New York 14211

, Buffalo, New York 14211

, Cheektowaga, New York 14225

, Buffalo, New York 14212

Cheektowaga, New York 14225

, Cheektowaga, New York 14225

, Depew, New York 14043

, Depew, New York 14043

, Buffalo, New York 14206

, Buffalo, New York 14206

, Buffalo, New York 14206

Cheektowaga, New York 14225

, Buffalo, New York 14215

Cheektowaga, New York 14225

, Cheektowaga, New York 14225

, Cheektowaga, New York 14225

, Cheektowaga, New York 14225

Depew, New York 14043

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk,

Halicki and Wasielewski

NAYS: ABSENT:

0 0

Motion by Councilman Obstarczyk, seconded by Councilman Wroblewski----Item No. 35

WHEREAS a petition for the improvement of both sides of the public highway situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter more particularly set forth, by the installation of street lighting equipment hereinafter more particularly described, was presented to this Town Board on the 8th day of September, 1970.

#### PUBLIC HIGHWAY TO BE IMPROVED

Name of Highway

from

To

West Rouen Drive

Towers Boulevard

West lot line of SL 423, MC 2249 on north side and the west lot line of SL 370, MC 2249 on south side

# TYPE OF STREET LIGHTING INSTALLATION

Fifteen (15) 3350 lumen electric post top type Town & Country mercury units. Estimated cost per year for two years per 50 foot lot - \$14.00,

and,

WHEREAS Andrew H. Schwenk and Casimir A. Kozminski, 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 said highway to be improved as aforesaid, and

WHEREAS the said highway to be improved as aforesaid is 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, corner of Broadway and Union Road, in said Town of Cheektowaga on the 21st day of September, 1970 at 7:30 o'clock P.M., Eastern Daylight Saving Time, to hear all persons interested in the subject thereof concerning the same, and

## Item No. 35 cont'd

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the DEPEW HERALD AND CHEEKTOWAGA NEWS and in the CHEEKTOWAGA TIMES newspapers having a general circulation in the Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing, and shall also be posted on the signboard of the Town maintained pursuant to subdivision six of section thirty of the Town Law of New York, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing.

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk,

Halicki and Wasielewski

NAYS:

ABSENT: 0

(Affidavit Next Page)

9/8/70

-7-

COUNTY OF ERIE

I, BENEDICT T. HOLTZ, being duly sworn, depose and say:

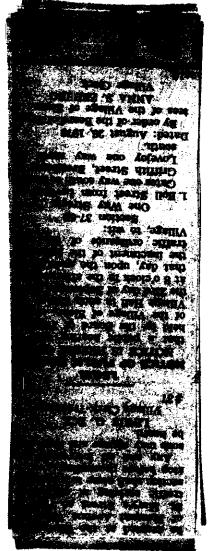
That I am now and at all times hereinafter mentioned have been the Town Clerk of the Town of Cheektowaga, County of Erie and State of New York.

> BENEDICT T. HOLTZ, Town Clerk.

Sworn to before me this

11th day of September , 1970.

72



#### RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

.... of the

# Herald and News

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 last insertion being on the day of

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

Sworn to before me this Laday of

and F. Bernet

Notary Public in and for Erie County

CAROL P. BENNETT

MOTARY PUBLIC, STATE OF NEW YORK

Qualified in Eric County

My Commission Expires March 30, 19

being duly sworn, deposes and says that he is the

owaga, Erie County, New held at the Town Hall, of Broadway and Union in said Town on the 8th September, 1970, at 2:30 p.m., Eastern Daylight Dime, there were: ENT.

E. Weber, Sppervisor I. Wroblewski,

Councilman E. Swiatek, Councilman R. Obstarczyk,

Councilman A. Helicki, Councilmen Councilman

Councilman

mercury units. Batimer year for two years

, and Casimir A. Kozsers of said Town aga, have certified to this Board that the etition is duly signed powledged in the same s a deed to be recorded wners of more than. of the entire frontage is on both sides of said to be improved, as

RREAS, the said highway improved as aforesaid is and entirely in said Town e of any incorporated vilor city therein; NOW, EREFORE,

IN IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall, corner of Broadway and Union Road, in said of Cheektowaga, on the 20st day of September, 1970, at 1520 o'clock p.m. Eastern Day-light Saving Time, to hear all persons interested in the subject concerning the same,

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the Depew Herald & Cheektowaga News, and Cheektowaga Times newspapers having a general circulation in the Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing, and shall also be posted on the signboard of the Town maintained pursuant to subdivision six of section thirty of the Town Law of New York not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing.

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

Voting Aye Councilman Wasielewski, Voting Aye

Councilman Wroblewski,

Voting Aye Councilman Swiatck,

Voting Aye

distribution in the Town, not than ten (10) nor more twenty (20) days before date set herein for the tering, and shall also be maintained pursuant to distribution six of section thirty less than ten (10) nor more twenty (20) days before the set lierein for the

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have compared the atextract with said minno recorded and said exis a true copy of said minsaid of the whole thereof as said minutes relate colling referred to in said

minutes correctly the time when said meettime convened, the place said meeting was held the meeting was held the members of said Board sectionded said meeting.

in Witness Whereof, I have hereunto set my hand and have hereunto affixed the corporate, seal of said Town, this 9th day of September, 1870.

1970.

BENEDICT T. HOLTZ,

Town Clerk. s16

#### RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

# Legal Notice

TOWNOF CHEEKTOWAGA COUNTY OF ERIE STATE OF NEW YORK

EXTRACTS FROM MINUTES OF

TOWN BOARD

at a regular meeting of the

Town Board of the Town of Cheektowags, Erie County, New York

tell at the Town Hall, corner of

Broadway and Union Road, in said

Town on the 8th day of September,

1370 at 2:30 o'clock P.M., Eastern

Regulate Saving Time, there were:

Supervisor Daniel E. Weber Councilman Felix T. Wroblewski Councilman Frank E. Swisisk Councilman Joseph R. Obstar-

gryf.

Donald A. Halicki

Cilman Raymond J. Wasia
specki

munchiman Kenneth J. Meyers

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interest of the said highway to be said as afforesaid is situlicitably in said Town outside the said The said Town outside the said Town outside the said Town outside the said THERESTORE, THERESTORE, THERESTORES THAT

Board of the Town of Notice of Broadway and Union Jis wild Town of Checkiowaga, Rist day of September, it caving Time, to hear all statements in the subject poncurning the same, and Town Clerk, be published at Said oute in the Depew Herald and Checktowaga News and in the Miowaga TIMES newspapers ig a general circulation in the Tout, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing, and shall also be posted on the signboard of the Town maintained persuant to subdivision six of section thirty of the Town Law of New York not less than ten (10) nor more than twenty (20) days before the date set herein for the

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

SUPERVISOR:

Weber Voting AYE
COUNCILMAN:
Wasielewski Voting AYE
Wroblewski Voting AYE
Swiatek Voting AYE
Voting AYE

Obstarczyk
Halicki
Meyers
AYES: 7 NOES: 0 ABSENT: 0
BTATE OF NEW YORK )

COUNTY OF ERIE

I, BENEDICT T. HOLTZ, Town
Clerk of the Town hereisafter
described, DO HEREBY CERTIFY
as follows:

1. A regular meeting of the Town

a town located in the County of Erris, a town located in the County of Erris, State of Siew York, was daily held on September 8th, 1970, 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 Item No. 35, inclusive, of said book.

2. I have compared the attachedextract 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 9th day of September, 1970.

BENEDICT T. HOLTZ, Town Clerk

(s 10)

#28

#29

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA

of Cheektowaga, in said County of Erie, being duly sworn, deposes, and says that he (she) is Cacalantary Alana and of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for weeks; first publication and publication is and that no more than six days intervened between publications.

Sworn to before me this 14 th

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

GLORY ANN KRYSINSKI

NOTARY PUBLIC STATE OF NEW YORK

QUALIFIED IN ERIE COURS

LY COMMISSION EXPIRES MARCH 30, 19 72

Item No. 36 Motion by Councilman Obstarczyk, seconded by Councilman Wroblewski----

WHEREAS a petition for the improvement of both sides of the public highway situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter more particularly set forth, by the installation of street lighting equipment hereinafter more particularly described, was presented to this Town Board on the 8th day of September, 1970.

# PUBLIC HIGHWAY TO BE IMPROVED

Name of Highway

From

To

Birchwood Drive

The entire street of Birchwood Drive north from Bronx Drive

Cedarwood Drive Map Cover 2241

# TYPE OF STREET LIGHTING INSTALLATION

Fourteen (14) 3350 lumen electric post top type, Town & Country, mercury units. Estimated cost \$17.00 per year for two years per 50 foot lot,

and,

WHEREAS Andrew H. Schwenk and Casimir A. Kozminski, 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 said highway to be improved as aforesaid, and

WHEREAS the said highway to be improved as aforesaid is 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, corner of Broadway and Union Road, in said Town of Cheektowaga, on the 21st day of September, 1970 at 7:30 o'clock P.M., Eastern Daylight Saving Time, to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the DEPEW HERALD AND CHEEKTOWAGA NEWS and in the CHEEKTOWAGA TIMES newspapers having a general circulation in the Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing, and shall also be posted on the signboard of the Town maintained pursuant to subdivision six of section thirty of the Town Law of New York not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing.

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk,

Halicki and Wasielewski

NAYS:

ABSENT: 0

(Affidavit Next Page)

COUNTY OF ERIE

I, BENEDICT T. HOLTZ, being duly sworn, depose and say:

That I am now and at all times hereinafter mentioned have been the Town Clerk of the Town of Cheektowaga, County of Erie and State of New York.

That on the 11th day of September 1970, acting pursuant to an order and resolution adopted by the Town Board of said Town order and resolution relating to street lighting on Durkward University on the signboard of the Town maintained pursuant to subdivision six of section thirty of the Town Law of New York.

That said copy so posted was a true and complete copy of the attached copy of said order and certificate published in the DEPEW HERALD AND CHEEKTOWAGA NEWS on September 10 , 1970

> BENEDICT T. HOLTZ, Town Clerk.

Sworn to before me this

The state of the s
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#### RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

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 1016 day of September, 19 20, and the last insertion being on the ..... day of ..... , and that not more than six days intervened between any two publications thereof.

Sworn to before me this 144 day of

Notary Public in and for Erie County

CAROL P. BENNETT NOTARY PUBLIC, STATE OF NEW YORK Qualified in Eric County mission Expires March 30, 19\_7>

#### RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

At a regular meeting of the Fown Board of the Town of ektowaga, Erie County, New the held at the Town Hall, ef Broadway and Union in said Town on the 8th September, 1970, at 2:30 k p.m., Eastern Daylight Time, there were: SENT:

E. Weber, Supervisor E. Weber, T. Wroblewski, Councilman

E. Swiatek, Councilman
E. Obstałczyk,
Goungilman

A. Haricki, Grundliman

d J. Wasielewski, Councilman

Meyers,

Councilman

en Chetarezyk pro following resolutie its adoption: s, a petition fi

of both highway situated

to this Board that the littion in duly signed in the same a deed to be recorded gwoers of more than f of the entire frontage s on both sides of said ay to be improved, as dd, and

KREAS, the said highway be improved as aforesaid is ted entirely in said Town dde of any incorporated vilor city therein; NOW, EREFORE,

IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga, on the 21st day of September, 1970, at 7:30 o'clock p.m. Eastern Daylight Saving Time, 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, and Checktowaga Times 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, and shall also be posted on the signboard of the Town maintained pursuant to subdivisio six of section thirty of the Town Law of New York not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing.

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

Voting Aye Councilman Wasielewski, Voting Aye

Councilman Wroblewski, Voting Aye

Councilman Swiatck, Voting Aye Councilman Obstarczyk,

\$5.:

that the Town Board of the Town of Cheektowaga meet at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga, on the Mist day of September, 1970, at 1970 octock p.m. Eastern Day-

respy of this order, cerbind by the Town Clerk, be the deat at least once in the Herald & Cheektowaga Times and Cheektowaga Times and Cheektowaga Times the ten (10) nor more the ten (10) nor more than (20) days before date set herein for the same and shall also be the signboard of the six of section thirty. Then Law of New York than ter (10) nor more than (20) days before the ten (20) days before the tertity (20) days

by Councilmen and day put to a colored and day put to a colored as follows:

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Voting Aye

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have compared the atentract with said minrecorded and said exentract is a true copy of said minand of the whole thereof
as said minutes relate

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

In Witness Whereof, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 9th day of September, 1970.

1970.

BENEDICT T. HOLTZ,

Town Clerk. s10

[ **[** 

#28

#30

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# Legal Notice

TOWNOF CHEEKTOWAGA COUNTY OF ERIE STATE OF NEW YORK EXTRACTS FROM MINUTES OF

TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowags, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 8th day of September, 1970 at 2:30 Parick P.M., Saking Time there were: ick P.M., Eastern Daylight

Bupervisor Daniel E. Weber Councilman Felix T. Wroblewski Councilman Frank E. Swiatek Councilman Joseph R. Obstar-

enyt Ameliana Donald A. Halicki Commitmen Raymond J. Wasie-**Briti** 

cilman Kenneth J. Meyers

No. 96 Councilmen Obstar-tempoles, the following rose-ant subsect its adopted: it its adoption: EAS, a petition for the pwap sligated in the Con-Lighting District of the backtowners. Accompage, parameter an acceptally sectors, to the an acceptaller more par-tification more par-tific described, was presented

1970. E HIGHWAY TO BE SELECTED OF HIGHWAY BLOCK WO

o (10 mm

REAS Andrew H. Schwesk daste A. Kozatinski, As-of said Town of Chrokin-ave certified in writing to and that the above petition aigned and acknowledge! pe measure, as a deed to d by the westers of more all of the earlier frontage s on both sides of said y to be improved as afore-

SEREAS, the said highway to sproved as aforesaid is sitevilingly in said Town outside the lacorporated village or city M. NOW, THEREFORE,

Pown Board of the Town of functiowaga meet at the Town a.D. corner of Broadway and Union food, in said Town of Cheektowaga, on the 21st day of September, 1970, at 7:30 o'clock P.M., Eastern Day-Ment Saving Time, to hear all

IT TO FURTHER ORDERED a copy of this order, certified by the Town Clerk, be published at least once in the DepewHerald and Cheektowaga News and in the Cheektowaga TIMES newspapers having a general circulation in the Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing, and shall also be posted on the signboard of the Town maintained pursuant to subdivision six of section thirty of the Town Law of New York not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing.

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

SUPERVISOR: Weber Voting AYR COUNCILMAN: **Wasielewski** Young AYE Wroblewski Voting AYE Swiatek Obstarczyk Voting AYE Helicki Voting AYE Meyers AYES: 7 NOES: 0 ABSENT: 0 STATE OF NEW YORK )

COUNTY OF ERES I, BENEDICT T. HOLTZ, To Clerk of the Town here described, DO HEREBY CERTIFY as follows:

1: A regular meeting of the Town Board of the Town of Ch lowaga, a town focated in the Co of Brie, State of New York, duly held on September 8th, 1976 and spinutes of said me been duly recorded in the Book shipt by me in siderting law for the purgons of recording the illimates of assistings of sal Board, and such infestion appear of latin the 15, technology of sal

ct with said mission of se of and built distract is a true

the time when said meeting a the was held and the m of said Board who atte meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and have bereunto affixed the corporate seal of said Town, this 9th days of September, 1970.

BENEDICT T. HOLTZ, Town Clerk

(\$10)

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA

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of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for weeks; first publication first publication ; last publication ; and that no more than six days intervened between publications.

Sworn to before me this

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

NOTARY PUBLIC STATE OF NEW YORK

...Y CUMMISSION EXPIRES MARCH 30, 19

70

Motion by Councilman Swiatek, seconded by Councilman Meyers---Item No. 37

RESOLVED that the following streets be renamed to avoid postal delivery problems, and be it

FURTHER RESOLVED that a certified copy of this resolution be forwarded by the Town Clerk to all necessary parties.

> Cedarwood Drive To be named Beaverwood Drive Michelle To be named Audet Drive Tours Court To be named Lucerne Court

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk,

Halicki and Wasielewski

NAYS:

ABSENT:

0

Item No. 38 Motion by Councilman Halicki, seconded by Councilman Wroblewski----

RESOLVED that the following transfer of funds of \$46,000.00 from the Sanitary Sewer District #5 Surplus to the Sanitary Sewer District #5, Union Road Pumping Station Force Main be approved.

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk,

Halicki and Wasielewski

NAYS: ABSENT:

Motion by Councilman Halicki, seconded by Councilman Wroblewski----Item No. 39

RESOLVED that the following transfer of funds in the General Fund be

approved:

FROM	<u>T0</u>	AMOUNT
03-025-012	03-025-013	\$2,250.01
03-120-014	03-115-032	5,000.00
03-105-035	03-105-032	1,500.00
03-105-035	03-105-034	1,000.00

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk,

Halicki and Wasielewski

NAYS:

0 0

ABSENT:

Motion by Councilman Halicki, seconded by Councilman Wroblewski----Item No. 40

RESOLVED that the following old outstanding checks in the Special Districts account be voided:

> #448 \$ 30.00 10-20-67 12-8-67 593 625.00 127.60 650 1-16-68

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk,

Halicki and Wasielewski

NAYS:

0

AD2FM1:

Motion by Councilman Halicki, seconded by Councilman Wroblewski----Item No. 41

# Item No. 41 cont'd

RESOLVED that the following transfer of funds in the Part Town Fund be approved:

From	<u>To</u>	Amount	
04-005-031	04-005-033	\$300.00	
04-005-031	04-005-036	200.00	
04-018-020	04-018-031	250.00	
04-005-035	04-003-031	500.00	

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk,

Halicki and Wasielewski

NAYS:

0

ABSENT:

0

Item No. 42 Motion by Councilman Halicki, seconded by Councilman Wroblewski----

RESOLVED that the following named vouchers and warrants submitted to the Town of Cheektowaga for the period ending September 8, 1970, be and hereby are approved and that the Supervisor pay said warrants:

FUND	FROM	<u>T0</u>	AMOUNT
General Special Districts Highway Part Town Trust & Agency Construction & Improvement Fund	7596	7708	\$161,327.00
	3346	3397	875,717.05
	2572	2620	46,805.78
	635	647	4,321.01
	254	255	14,039.73
	244	245	18,627.31

\$1,120,837.88

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk,

Halicki and Wasielewski

NAYS:

0

ABSENT:

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Item No. 43
Life insurance increase for each elected official and department head.
Resolution withdrawn.

# V. FROM THE TABLE

Item No. 44

Emergency repair work at Incinerator.

Motion by Councilman Wasielewski, seconded by Councilman Swiatek----

WHEREAS emergency refractory repair work was required on Combustion Chamber No. 1 of the Town of Cheektowaga Incinerator; now therefore be it

RESOLVED that the Voucher of Furnco Construction Corporation, in the amount of \$4,237.16, to do the work and furnish the materials for said work be approved and ordered paid.

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk,

Halicki and Wasielewski

NAYS:

0

ABSENT:

0

Item No. 45

Acceptance of Coatesworth Subdivision Part 4.

Motion by Supervisor Weber, seconded by Councilman Swiatek----

9/8/70

-10-

### Item No. 45 cont'd

RESOLVED that the Coatesworth Subdivision Part 4 submitted by Roy D. Millard, licensed professional surveyor, be approved.

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk,

Halicki and Wasielewski

NAYS:

ABSENT:

#### www.compression.com

Item No. 46 John Tewey, 3117 Genesee Street - request for Special Permit to operate a Used Car Lot. Stephen Fijalkowski, 1233 Walden Avenue - request for Special Permit to operate a Used Car Lot. Referred to the Town Attorney, John V. Rogowski.

Item No. 47 Maryvale Court Apartments - letter from manager and petition from tenants regarding difficult and unsafe approach to Expressway Crossover. Referred to the Highway Department.

Item No. 48 Extension of sick leave for John Dunn, Water Pollution Control Plant #5. Motion by Councilman Wroblewski, seconded by Councilman Swiatek----

WHEREAS John Dunn, laborer in the Water Pollution Control Plant #5, has used up all of his sick leave, and

WHEREAS the Town of Cheektowaga contract with Local 1026 AFL-CIO provides for an extension of sick leave beyond that accrued; now therefore be it

RESOLVED that John Dunn is hereby granted a 12-day sick leave extension said sick leave to be repaid to the Town as provided in Article VII of the Union Contract.

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk,

Halicki and Wasielewski

NAYS:

O

ABSENT:

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Motion by Councilman Wasielewski, seconded by Councilman Swiatek to Item No. 49 adjourn the meeting.

> BENEDICT T. HOLTZ Town Clerk

Cheektowaga, New York September 14, 1970

Item No. 1 At a special meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 14th day of September, 1970 at 7:00 o'clock P.M., Eastern Daylight Saving Time there were:

PRESENT: Supervisor Daniel E. Weber
Councilman Felix T. Wroblewski
Councilman Frank E. Swiatek
Councilman Kenneth J. Meyers
Councilman Joseph R. Obstarczyk
Councilman Donald A. Halicki
Councilman Raymond J. Wasielewski

ABSENT: 0

Also present were: Ruth P. Letki, Deputy Town Clerk; John V. Rogowski, Town Attorney; John Malloy, Accounting Department.

Item No. 2 Building Permit.

Motion by Supervisor Weber, seconded by Councilman Obstarczyk----

RESOLVED that the building application submitted to the Building & Plumbing Department by David Rueben, for construction at 2695 Union Road, be approved, subject to the approval of the Building Inspector.

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk,

Halicki and Wasielewski

NAYS:

0

ABSENT:

0

Item No. 3 Motion by Councilman Halicki, seconded by Councilman Wasielewski----

WHEREAS this Town Board has prepared detailed estimates of the anticipated 1971 revenues and expenditures for every district in which the expense of the improvement is to be assessed on a benefit basis, and

WHEREAS this Town Board has assessed the Special District cost on a benefit basis against the lots and parcels of land against which the improvement was chargeable, and

WHEREAS this Town Board has prepared an Assessment Roll for each District describing each lot or pacel of land in the District, the owner thereof, and the assessment levied against it, and

WHEREAS this Town Board has filed such Estimates and Assessment Rolls with the Town Clerk; now therefore be it

RESOLVED that this Board shall meet at 7:30 o'clock P.M., Eastern Daylight Saving Time on the 1st day of October, 1970, for the purpose of holding a Public Hearing upon such Estimates and Assessment Rolls, and be it

FURTHER RESOLVED that the Town Clerk give notice of such Public Hearing in the manner provided in Section 239 of the Town Law, and that such notice be published in substantially the following form in the CHEEKTOWAGA TIMES and in the DEPEW HERALD AND CHEEKTOWAGA NEWS on September 17, 1970, newspapers having a general circulation within the Town.

Upon Roll Call----

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki an

Wasielewski

NAYES:

Councilman Obstarczyk

ABSENT:

9/14/70

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Affidavit Next Page)

**ss.**:

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#### RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

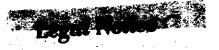
# Depew Cheektowaga Herald and News

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 week, the first insertion being on the day of day and that not more than six days intervened between any two publications thereof

Sworn to before me this a full day of

Notary Public in and for Erie County

CAROL P. BENNETT
MOTARY PUBLIC, STATE OF NEW YORK
Qualified in Eric County
My Commission Expires March 30, 1977



PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that
the Town Board of Checktowaga,
New York has completed its
Estimates and Assessment Rolls
relating to Special Districts
relating to Special Districts
spreading costs on a Benefit Basis
and has filed same with the Town
Cherk.

and has filed same with the Town
Cherk.

NOTICE IS ALSO GIVEN that a
Public Hearing on such Estimates
and Assessment Rolls will be held
October 1, 1970 at 7:30 P.M.,
Basiern Daylight Saving Time, in
the Council Chamber of the Cheekforwaga Town Hall, corner of
Broadway and Union Road, at which
time the Town Board will meet to
hear and consider any objections
which shall be made to such Estimates and Assessment Rolls.

BY ORDER OF THE TOWN
BOARD OF THE TOWN OF
CHEEKTOWAGA, NEW YORK.
BENEDICT T. HOLTZ,
Town Clerk

Dated: September 14, 1970 (\$17)

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STATE OF NEW YORK COUNTY OF ERIE TOWN OF CHEEKTOWAGA

Mandain County of the town of Cheektowagn, in said County of Eric, being duly sworn, deposes and says that he (she) is Circulation manager of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for ..... weeks; first publication Sept 17,1970; last publication Sept 17,1970; and that no more than six days intervened between publications.

Sworn to before me this 18th

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

GLORY ANN KRYSINSKI NOTARY PUBLIC STATE OF NEW YORK QUALIFIED IN ERIE COUNTY MY COMMISSION EXPIRES MARCH 30, 19 70-

Item No. 4 Motion by Councilman Wroblewski, seconded by Councilman Meyers to adjourn the meeting at 7:50 P.M.

RUTH P. LETKI Deputy Town Clerk

9/14/70

Cheektowaga, New York September 21, 1970

<u>To</u>

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, corner of Broadway and Union Road, in said Town on the 21st day of September, 1970 at 7:30 o'clock p.m., Eastern Daylight Saving Time there were:

PRESENT: Daniel E. Weber
Felix T. Wroblewski
Councilman
Frank E. Swiatek
Councilman
Kenneth J. Meyers
Councilman
Joseph R. Obstarczyk
Councilman
Councilman
Raymond J. Wasielewski
Councilman

ABSENT:

Also present were: Benedict T. Holtz, Town Clerk; John Rogowski, Town Attorney; Robert Miller, Deputy Town Attorney; Benedict T. Kostrzewski, Chief of Police; Edward Marshall, Assistant Highway Superintendent; Carl Trafalski, Building Inspector; Andrew Schwenk, Chairman, Board of Assessors and Ronald Norman, Receiver of Taxes.

#### I. BIDS

Item No. 2 Repair of Sanitary Sewer District No. 3
Referred to Town Engineer, Chester Bryan

#### II. PUBLIC HEARINGS

Item No. 3 This being the time and place advertised for a public hearing on the proposed improvement of both sides of the public highway situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter more particularly set forth, by the installation of street lighting equipment hereinafter more 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 HIGHWAY TO BE IMPROVED

Name of Highway From

The entire street

Birchwood Drive The entire street Cedarwood Drive, of Birchwood Drive Map Cover 2241 north from Bronx Drive

# TYPE OF STREET LIGHTING INSTALLATION

Fourteen (14) 3350 lumen electric post top type Town and Country mercury units. Estimated cost \$17.00 per year for two years per 50 foot lot.

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.

Motion by Councilman Obstarczyk, Seconded by Councilman Wroblewski

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

PUBLIC HIGHWAY TO BE IMPROVED

Item No. 3 cont'd

Name of Highway

From

<u>To</u>

Birchwood Drive

The entire street of Birchwood Drive north from Bronx Drive

Cedarwood Drive, Map Cover 2241

# TYPE OF STREET LIGHTING INSTALLATION

Fourteen (14) 3350 lumen electric post top type Town and Country mercury units. Estimated cost \$17.00 per year for two years per 50 foot lot.

and heard all persons interested in the subject thereof; NOW, THEREFORE,

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

- (a) that such petition is signed and acknowledged as required by law and is otherwise sufficient, and
- (b) that it is in the public interest to grant in whole the relief sought, and be it

FURTHER RESOLVED, that such petition is hereby approved and the installation of such street lighting equipment along said highway is hereby authorized, and that the Town Board is hereby authorized to purchase and to have installed said street lighting equipment, 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 (10) days after the adoption thereof, in conformity with Section 195 of the Town Law.

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers.

NAYES: ABSENT:

0

Item No. 4 This being the time and place advertised for a public hearing on the proposed improvement of both sides of the public highway situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter more particularly set forth, by the installation of street lighting equipment hereinafter more 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 HIGHWAY TO BE IMPROVED

Name of Highway

From

To

West Rouen Drive

Towers Blvd.

west lot line of SL 423, MC 2249 on north side and west lot line of SL 370, MC 2249 on south side

# TYPE OF STREET LIGHTING INSTALLATION

Fifteen (15) 3350 lumen electric post top type Town & Country mercury units. Estimated cost per year for two years per 50 foot lot, \$14.00.

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.

Motion by Councilman Obstarczyk, Seconded by Councilman Wasielewski

WHEREAS, this Town Board has this day held a public hearing on the petition requesting the improvement of both sides of the public highway situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter more 9/21/70

Item No. 4 cont'd particularly set forth, by the installation of street lighting equipment hereinafter more particularly described. PUBLIC HIGHWAY TO BE IMPROVED Name of Highway From To West Rouen Drive Towers Blvd. west lot line of \$L 423, MC 2249 on north side and west lot line of SL 370, MC 2249 on south side TYPE OF STREET LIGHTING INSTALLATION

Fifteen (15) 3350 lumen electric post top type Town & Country mercury units. Estimated cost per year for two years per 50 foot lot, \$14.00

and heard all persons interested in the subject thereof; NOW, THEREFORE

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

- (a) that such petition is signed and acknowledged as required by law and is otherwise sufficient, and
- (b) that it is in the public interest to grant in whole the relief sought, and be it

FURTHER RESOLVED, that such petition is hereby approved and the installation of such street lighting equipment along said highway is hereby authorized, and that the Town Board is hereby authorized to purchase and to have installed said street lighting equipment, 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 (10) days after the adoption thereof, in conformity with Section 195 of the Town Law.

UPON ROLL CALL...

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,

Wasielewski and Meyers.

NAYES:

ABSENT:

III GENERAL COMMUNICATIONS

N.Y.S. Department of Transportation - Notice of Order - Signal 308. Item No. 5 Referred to Chief Kostrzewski

Item No. 6 United Taxpayers Council of Cheektowaga - Petition for Bi-Partisan Referendum for Six-District Councilmanic System. Referred to Town Attorney, John Rogowski

Donald O. Summers, Item No. 7 Received and Filed - building at 75 Armond Lane.

- suggestions regarding Cheek-Mrs. Helen E. Mayer, Item No. 8 towaga Judicial Department. Received and Filed

Mrs. Angelo Monaco, Item No. 9 Blvd. and French Road. Received and Filed

- rezoning of corner of Towers

Southline Homeowners Association, Inc. - Dartwood Drive Park Development. Item No. 10 Received and Filed -3-

9/21/70

Item No. 11 Donald O. Summers, Received and Filed

- Village of Sloan Annexation.

Item No. 12 Notice of Petition - Donald Powers, Richard Powers and James LoBou vs the Town of Cheektowaga. Referred to Town Attorney, John Rogowski

Motion by Councilman Wroblewski, Seconded by Councilman Halicki

WHEREAS, an Article 78 proceeding has been commenced by Donald Powers and others vs the Town of Cheektowaga and members of the Plumbing Board of said Town, and

WHEREAS, two separate proceedings had been commenced between the Benderson Development Corporation under Article 7 of the real property tax law vs the Assessors of the Town of Cheektowaga and the Town of Cheektowaga, now therefore be it

RESOLVED, that the Town Attorney is hereby authorized and directed to take all necessary steps and proceedings on behalf of the Town of Cheektowaga regarding said actions.

UPON ROLL CALL...

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk,

Halicki, Wroblewski and Meyers.

WAYES:

ABSENT: 0

### IV. DEPARTMENTAL COMMUNICATIONS

Motion by Councilman Wroblewski, Seconded by Councilman Swiatek Item No. 13

RESOLVED, that the Building Permist submitted on September 21, 1970 be approved with the following exceptions and stipulations:

> Richard Kawalerski Tabled:

11 11 29

Consolidated Motor Inns, Walden Avenue

John Szott, <u>Denied:</u> David Janus,

UPON ROLL CALL...

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk,

Halicki, Wroblewski, and Meyers.

MAYES:

ABSENT:

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Dr. Vendetti - August Report Item No. 14

Received and Filed

Benedict Kostrzewski - requests permission to attend International Item\_No. 15 Association of Chiefs of Police Convention.

Referred to Town Board

J. Donald Griffin - resignation of Darlene Jones as Clerk-Typist Item No. 16 in the Youth Board Office.

Motion by Councilman Wroblewski, Seconded by Supervisor Weber

RESOLVED, that the resignation of Darlene A. Jones, , Depew, as Clerk-Typist in the Youth Board be accepted.

UPON ROLL CALL...

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, AYES:

Halicki, Wasielewski and Meyers.

NAYES:

0 ABSENT:

9/21/70

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Item No. 17 Stanley Bystrak - Acceptance for Town Highways: Part of South Transithill Drive and Part of Riffel Terrace.

Motion by Supervisor Weber, Seconded by Councilman Wroblewski

RESOLVED, that a part of South Transithill Drive and a part of Riffel Terrace be accepted as Town Highways, and that the Town Attorney be directed to record the deed in the County Clerk's Office.

UPON ROLL | CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk,

Halicki, Wasielewski and Meyers.

NAYES:

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ABSENT:

n

Item No. 18 Stanley Bystrak - approach to Expressway cross-over on the West side north of the Expressway.

Referred to the Town Clerk, Benedict Holtz

Item No. 19 Stanley Bystrak - request for order of street signs, dead end signs, etc.

Motion by Supervisor Weber, Seconded by Councilman Wasielewski

WHEREAS, the Town Highway Superintendent requested the purchase of street name signs with brackets and posts, NOW THEREFORE BE IT

RESOLVED, that the Town Highway Superintendent be authorized to purchase the following from Chemung Supply Co., they being awarded the bid on August 17, 1970.

120 Street name signs 3 doz. dead end signs

3 doz. street name sign brackets

3 doz. 10 ft. U-posts for dead end

signs

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wrohlewski, Swiatek, Obstarczyk,

Halicki, Wasielewski and Meyers.

NAYES:

(

ABSENT:

Item No. 20 Stanley Bystrak - award of bid for 2 new snow plows.

Motion by Councilman Wroblewski, Seconded by Councilman Swiatek

WHEREAS, bids were duly received by this Town Board at a meeting thereof, held on September 8, 1970 for the furnishing of two (2) New 1970 Plows as the result of advertisement therefor, and such bids were referred to the Town Superintendent of Highways for analysis, tabulation and report, and

WHEREAS, such analysis, tabulation and report is hereto attached and made a part hereof, NOW THEREFORE BE  ${\sf IT}$ 

RESOLVED that the contract for the two (2) New Plows be awarded to P-D Service, Inc. 1969 Harlem Road, Buffalo, N.Y. said company being the lowest responsible bidder meeting specifications.

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk,

Halicki, Wasielewski and Meyers.

NAYES:

0

ABSENT:

Item No. 21 Cheektowaga Traffic Safety Commission - recommendation Received and Filed

Item No. 22 Councilman Swiatek's remarks - Acquisition of Eiffel Estates Park. Received and Filed

9/21/70

-5-

Item No. 23 Supervisor Weber's Comments

### V. RESOLUTIONS

Motion by Councilman Obstarczyk, Seconded by Councilman Wroblewski Item No. 24

RESOLVED, that New York State Electric & Gas Corporation be granted permission to install the following:

### JOEL DRIVE

Install 5 - 7000 lumen mercury vapor lamps @ 45. each Overhead Service wood poles (turned pine) Poles 1, 2 Line 3423 Poles 3,5,7, Line 3422

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk,

Halicki, Wasielewski and Meyers.

MAYES:

ABSENT: 0

Motion by Councilman Wasielewski, Seconded by Councilman Swiatek Item No. 25

WHEREAS, emergency repair work was required on the Town of Cheektowaga Incinerator, NOW THEREFORE BE IT

RESOLVED, that the voucher of Furnco Construction Corporation 47 West Huron Street, Buffalo, New York, 14202, in the amount of \$1688.00 to do the work and furnish the materials for said work at the Incinerator, be approved and ordered paid.

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk,

Halicki, Wasielewski and Meyers.

NAYES:

ABSENT:

Motion by Councilman Wroblewski, Seconded by Supervisor Weber Item No. 26

WHEREAS, emergency sewer repairs were required on the sanitary sewer on Ellen Drive in sewer district #5 which repairs were ordered by the Town Engineer, NOW THEREFORE BE IT

RESOLVED, that the voucher of Straco Inc., 1010 Rein Road, Cheektowaga, New York in the amount of \$1,864.63 to do the work and furnish the materials for said repairs on Ellen Drive be approved and ordered paid.

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk,

Halicki, Wasielewski and Meyers.

NAYES:

ABSENT:

Motion by Councilman Obstarczyk, Seconded by Supervisor Weber Item No. 27

WHEREAS, a petition for the improvement of both sides of the public highway situated in the Consolidated Lighting District of the Town of Cheektowaga hereinafter more particularly set forth, by the installation of street lighting equipment hereinafter more particularly described, was presented to this Town Board on the 21st day of September 1970.

## PUBLIC HIGHWAY TO BE IMPROVED

Name of Highway

<u>From</u>

<u>To</u>

Jeffrey Drive

The entire street of Jeffrey Drive north from Losson Road

Jeel Drive on the north. Map Cover 2255

### Item No. 27 cont'd

## TYPE OF STREET LIGHTING INSTALLATION

Fourteen (14) 3350 lumen electric post top type Town & Country mercury units. Estimated cost \$13.50 per year for two years per 50 foot lot.

and

WHEREAS Andrew H. Schwenk, and Casimir A. Kozminski, 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 said highway to be improved as aforesaid, and

WHEREAS, the said highway to be improved as aforesaid is situated entirely in the 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, corner of Broadway and Union Road, in said Town of Cheektowaga, on the 5th day of October, 1970, at 2:30 o'clock P.M., Eastern Daylight Saving Time, to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the DEPEW HERALD AND CHEEKTOWAGA NEWS and in the CHEEKTOWAGA TIMES newspapers having a general circulation in the Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing, and shall also be posted on the signboard of the Town maintained pursuant to subdivision six of section thirty of the Town Law of New York not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing.

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk,

Halicki, Wasielewski and Meyers.

NAYES:

0

ABSENT:

0

(Affidavit on Next Page)

STATE OF NEW YORK

COUNTY OF ERIE

I, BENEDICT T. HOLTZ, being duly sworn, depose and say:

That I am now and at all times hereinafter mentioned have been the Town Clerk of the Town of Cheektowaga, County of Erie and State of New York.

That on the 25th day of September 19 70
acting pursuant to an order and resolution adopted by the Town Board of said Town
on September 21st, 19 70, I posted a certified copy of said
order and resolution relating to street lighting onJeffrey Drive,
on the signboard of the Town maintained pursuant to subdivision six of section thirty
of the Town Law of New York.

That said copy so posted was a true and complete copy of the attached copy of said order and certificate published in the DEPEW HERALD AND CHEEKTOWAGA NEWS on September 24th, 19 70

> BENEDICT T. HOLTZ, Town Clerk.

Sworn to before me this

25 day of September, 1978 Higinia Janora (fut Laurke)



Monday evening at 7,50, were will be a meeting of the Council. Men's bowling will

TOWN LINE LUTRERAN

CHURCH

Friday, at A p.m. meresses

be ameeding of the Sealor Line

Seturday at 9:30 s.m., the year

and grade conditionables desired

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RICHARD G.	BENMETT
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being duly sworn, deposes and says that he is the

PUBLISHER

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# Herald and News

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 standay
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.

Sworn to before me this & See day of

Notary Public in and for Erie County

CAROL P. BENNETT
MOTARY PUBLIC, STATE OF NEW YORK
Qualified in Eric County
My Commission Expires Murch 30, 19

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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 and, in said Town on the 21st of September, 1970, at 7:30 p.m., Eastern Daylight | Viog Time, there were:

del E. Weber, Supervisor Pelix T. Wroblewski,

Councilman dik E. Swiatek, Councilman cough R. Obstarczyk,

Councilman ald A. Halicki, Councilman Pagement J. Wasielewski,

Councilman Charth J. Meyers, Councilman

Destate: 0

Hem No. 27 Characterian Obstarczyk pre-pated the following resolution as aboved its adoption:

THEREAS, a petition for the survey amount of both sides of public highway situated in Dissolidated Lighting Dissolidated Lighting Dissolidated Town of Cheektobereinafter more partic-les art forth, by the installa-est street lighting equip-at hardinafter more particdescribed, was presented to Town Board, on the 21st

of September, 1970.
Highway to be improved et of Jeffrey Drive north Losson Road to Joel Drive morth. Map Cover 2255. ppe of Street Lighting Installation

rteen (14) 3350 himen tic post top type (Town & ticy) mercury units. Estimcost \$13.50 per year for years per 50 foot lot.

WHEREAS. Andrew H. sepath, and Casimir A. Kozof Checktowaga, have certified the willing to this Board that the petition is duly signed acknowledged in the same inner as a deed to be recorded the owners of more than splif of the entire frontage equils on both sides of said way to be improved, as emid, and

WHEREAS, the said highway to be improved as aforesaid is tuated entirely in said Town taide of any incorporated viltherein; NOW,

IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall, corner of Broadmy and Union Road, in said fown of Cheektowaga, on the 5th day of October, 1970, at 2:20 o'clock p.m. Eastern Dayight Saving Time, to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED that a copy of this order, certitled by the Town Clerk, be published at least once in the Depew Herald & Cheektowaga News, and Checktowaga Times newspapers having a general circulation in the Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing, and shall also be posted on the signboard of the Town maintained pursuant to subdivision six of section thirty of the Town Law of New York not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing.

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

Voting Aye Councilman Wasielewski, Voting Aye Councilman Wroblewski,

**Voting Aye** 

Councilman Swiatek, Voting Aye

### RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

**PUBLISHER** 

of the

Cheektowaga Herald and News

and a copy of this order, con-ly the Town Clerk to the season once in the principal of Least once in the principal of Checktowage es, and Checktowaga Times mers having a general freelation in the Town, not in then ten (10) nor more then twenty (20) days before e date set herein for the ring and shall also be bed on the signboard of the naintained pursuant to abdivision six of section thirty whitvision six or section York of the Town Law of New York not less than ten (10) nor more twenty (20) days before

Recorded by Supervisor Weis and duly put to a vote," wester Weber,

Voting Aye enneliman Wasielewski, sescionen Wroblewski Voting Aye

Minan Wrobles Voting Aye Voting Aye

water Obstarczyk distan Helioki, Vother Aye

Voting Aye Minen Meyers,

Voting Aye F. 7: NOES: 6; ABSENT: 0 of New York )

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MINISTRY T. HOLTE,

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Ministry Mar the purpose of repyding the the purpose of respeding stationary of said such misutes speak and misutes speak was No. 27 inclusive, of said

d salve compared the atsatisfies a true copy of said min-sers and of the whole thereof satisfies as said minutes relate matters referred to in said

a deki minutes correctly tate the time when said meetwas convened, the place bere such meeting was held if the members of said Board who attended said meeting.

In Witness Whereof, I have hereunto set' my hand and have hereunto (seal) affixed the corporate seal of said Town, this 22nd day of September, 12 Jan 1970.

BENEDICT T. HOLTZ,

## RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

### **PUBLISHER**

---- of the

Cheektowara Herald and News

TOWN OF CHEEKTOWAGA COUNTY OF ERIE STATE OF NEW YORK EXTRACTS FROM MINUTES OF TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 21st day of September, 1970 at 7:30 o'clock p.m. Eastern Daylight Saving Time there were: PRESENT;

Supervisor Daniel E. Weber Councilman Felix T. Wroblewski Councilman Frank E. Swintek Councilman Joseph R. Obstarczyk

Councilman Donaki A. Halicki Councilman Raymond J. Wasielewski

Councilman Kenneth J. Meyers ABSENT:

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

WHEREAS, a petition for the improvement of both sides of the public highway situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter more particularly set forth, by the installation of street lighting equipment hereinafter more particularly described, was preted to this Town Board on the 21st day of September, 1970.

PUBLIC HIGHWAY TO BE IMPROVED

Name of Highway: Jeffrey Drive From: the entire street of Jeffrey Drive north from Losson Rd.; To: Joel Drive on the north. Map Cover 2255.

TYPE OF STREET LIGHTING INSTALLATION

Fourteen (14) 3350 lumen electric post top type Town & Country ercury units. Estimated cost \$13.50 per year for two years per 50 foot lot. and

WHEREAS Andrew H. Schwenk, nd Casimir A. Kozminski, 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 said highway to be improved as aforesaid, and

WHEREAS, the said highway to be improved as aforesaid is situated entirely in said Town outside of any incorporated viilage or city therein; NOW, THERE-FORE.

IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga, on the 5th day of October, 1970, at 2:30 o'clock P.M., Eastern Daylight Saving Time, 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 DEPEWHERALD AND CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES newspapers having a general circulation in the Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing, and shall also be posted on the signboard of the Town maintained pursuant to subdivision six of section thirty of the Town Law of New York not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing.

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

SUPERVISOR:

Voting AYE Weber COUNCILMAN: Voting AYE Wasie lewski Voting AYE Wroblewski Voting AYE Swistek VOUDE AYE Obstarczyk Voting AYE Halicki Voting AYE

AYES: 7 NOES: 0 ABSENT: 0 STATE OF NEW YORK

COUNTY OF ERIE I, BENEDICT TO HOLTZ, Town Clerk of the Town hereinafter described, DO HEREBY CERTIFY as follows: 1. A regular meeting of the

County of Erie, State of New York, was duly held on September 21, 1970, and minutes of said meeting hane 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 Item No. 27, 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 22nd day of September, 1970.

BENEDICT T. HOLTZ. Town Clerk

(824)

STATE OF NEW YORK COUNTY OF ERIE TOWN OF CHEEKTOWAGA

Rosding C. Marong, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Circulation manager of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for ..... weeks: first publication Sept. 241970; last publication Sept 24,197 and that no more than six days intervened between publications.

StarLine C Mar Notary public in and for Eric County, N. Y.

GLORY ANN KRYSINSKI NOTARY PUBLIC STATE OF NEW YORK QUALIFIED IN ERIE COUNTY MY COMMISSION EXPIRES MARCH 30, 19 72

Item No. 28 Motion by Councilman Obstarczyk, Seconded by Supervisor Weber

WHEREAS, a petition for the improvement of both sides of the public highway situated in the consolidated Lighting District of the Town of Cheektowaga, hereinafter more particularly set forth, by the installation of street lighting equipment hereinafter more particularly described, was presented to this Town Board on the 21st day of September 1970.

### PUBLIC HIGHWAY TO BE IMPROVED

Name of Highway

From

<u>To</u>

East Cherbourg Drive

Towers Blvd. easterly

east lot line of SL 255A, MC 2249 on north side, and east lots line of SL 255, MC 2249 on south side

#### TYPE OF STREET LIGHTING INSTALLATION

Twelve (12) 3350 lumen electric post top type Town & Country mercury units. Estimated cost \$13.00 per year for two years per 50 foot lot.

and

WHEREAS Andrew H. Schwenk, and Casimir A. Kozminski, 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 said highway to be improved as aforesaid, and

WHEREAS, the said highway to be improved as aforesaid is 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, corner of Broadway and Union Road, in said Town of Cheektowaga, on the 5th day of October, 1970 at 2:30 o'clock P.M., Eastern Daylight Saving Time, to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the DEPEW HERALD AND CHEEKTOWAGA NEWS and in the CHEEKTOWAGA TIMES newspapers having a general circulation in the Town, not less than ten (10) nor more than twenty(20) days before the date set herein for the hearing, and shall also be posted on the signboard of the Town maintained pursuant to subdivision six of section thirty of the Town Law of New York not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing.

UPON ROLL CALL...

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk,

Halicki, Wasielewski, and Meyers.

NAYES:

0

ABSENT:

0

(Affidavit on Next Page)

SS

COUNTY OF ERIE

I, BENEDICT T. HOLTZ, being duly sworn, depose and say:

That I am now and at all times hereinafter mentioned have been the Town Clerk of the Town of Cheektowaga, County of Erie and State of New York.

That on the ....25th. day of \_\_\_\_\_\_ September \_\_\_\_\_ 19\_70, acting pursuant to an order and resolution adopted by the Town Board of said Town on September 21st, , 19.70, I posted a certified copy of said order and resolution relating to street lighting on \_\_\_\_East\_Cherbourg\_Orive\_\_\_\_\_, on the signboard of the Town maintained pursuant to subdivision six of section thirty of the Town Law of New York.

That said copy so posted was a true and complete copy of the attached copy of said order and certificate published in the DEPEW HERALD AND CHEEKTOWAGA NEWS on September 24th , 1970

> BENEDICT T. HOLTZ, Town Clerk.

Sworn to before me this

Januara (Jufformeli)

► ss.<del>.</del>

THE RESERVE THE PARTY SERVED SAID	i.
Red and the medical of Law of	k,
obcask) of Lancaster died Sept.	
Martha Rudz-Grzybowski (min	
MARTHA RUDZ	
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### RICHARD G. BENINETT

being duly sworn, deposes and says that he is the

**PUBLISHER** 

of the

## Herald and News

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 24th day
of \_\_\_\_\_\_\_, 19 Ze, and the last insertion being on the \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_.

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

Sworn to before me this 20 and day of

Notary Public in and for Erie County

CAROL P. BENNETT
MOTHEY PUBLIC, STATE OF NEW YORK
Qualified in Eric County
My Commission Expires March 30, 192

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## CATEFACTS PROOF MINUTES OF TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Eric County, New York, held at the Town Hall, carner of Broadway and Union Head, in said Town on the 21st My of September, 1970, at 7:30 Malack p.m., Eastern Daylight Misch p.m., Eastern Daylight PRESENT:

Paniel E. Weber, Supervisor Beitz T. Wroblewski,

Councilmen E Swiatek, Councilmen Rough R. Obstarczyk,

Councilman Regional J. Wasielewski,

Councilman Councilman

Councilman

ARSENT: 0

Hem No. 28

Osep From Obstarray's predeal See following resolution
integral its adoption:

The Section for the

Complifies the first of both sides of public highway situated in Complifies of Lighting Discrete the Town of Cheektons in the Town of Cheektons at forth, by the installation of street lighting equiples of street lighting equiples thereinafter more particular the first particular th

Chartonics Drive from Bullet let line of SL 255A, MC 2249 on

Type of Street Lighting Installation

Topology (12) lumen electric soil top type Town & Country tendery units. Estimated cost 183,00 per year for two years 183,00 foot lot.

MARKEAS, Andrew H.

Relevant, and Casimir A. Kerdisciple, assessors of said Town
of Christian to this Board that the

Relevant patition is duly signed
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Relevant as a deed to be recorded
the owners of more than
the owners of more than
the half of the entire frontage
or bounds on both sides of said
highway to be improved, as
althoughd, and

WHEREAS, the said highway
to be improved as aforesaid is
situated entirely in said Town
distaids 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, corner of Broadway and Union Road, in said Town of Cheektowaga, on the 5th day of October, 1970, at 2:30 o'clock p.m. Eastern Daylight Saving Time, 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, and Cheektowaga Times newspapers having a general circulation in the Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing, and shall also be posted on the signboard of the Town maintained pursuant to subdivision six of section thirty of the Town Law of New York not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing.

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

Voting Aye Councilman Wasielewski, Voting Aye Councilman Wroblewski,

Voting Aye

Councilman Swiatek,

### RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

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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, and Cheektowaga Times newspapers having a general circulation in the Town, not less than ten (10) nor more then twenty (20) days before the date set herein for the bearing, and shall also be posted on the signboard of the Town maintained pursuant to stipolivision six of section thirty of the Town Law of New York not less than ten (10) nor more then twenty (20) days before

Seconded by Supervisor Weher and duly put to a vote, which resulted as follows: ervisor Weber,

**Voting Aye** ikpan Wasielewski, Voting Aye ilman Wroblewski, Voting Aye

Houn Swiatek, Voting Aye eliman Obstarczyk,

Voting Aye ciinan Halicki,

Cilman Meyers, o Voting Aye Voting Aye

##5: 7; NOES: 0; ABSENT: 0 of New York ) y of Erio

SENEDICT T. HOLTZ, Gerk of the Town here-in Georges, DO HERREY SET as follows: A regular meeting of the Board of the Town of

ga, a town legated in County of Erie, State of York, was duly held on ber 21, 1970, and minutes idd meeting have been duly d in the Minute Book by me in accordance with for the purpose of recording utes of meetings of said rd, and such minutes appear m No. 28 inclusive, of said

have compared the atof extract with said minso recorded and said exnot is a true copy of said mins and of the whole thereof for as said minutes relate spatters referred to in said

I Said minutes correctly right the time when said meetg was convened, the place ere 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 (seal) affixed the corporate seal of said Town, this 22nd day of September, 1970. BENEDICT T. HOLTZ,

Town Clerk.

**s24** 

## RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

TOWN OF CHEEKTOWAGA COUNTY OF ERIE STATE OF NEW YORK EXTRACTS FROM MINUTES OF TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga Erie County, New York beld at the Town Hall, corner of Broadway and Union Road, in said Town on the 21st day of September, 1970 at 7:30 o'clock p.m. Eastern Daylight Saving Time there were: PRESENT:

Supervisor Daniel E. Weber Councilman Felix T. Wroblewski Councilman Frank E. Swiatek Councilman Joseph R. Obstar-

czyk Councilman Donald A. Halicki Councilman Raymond J. Wasielewski

Councilman Kenneth J. Meyers ABSENT:

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

WHEREAS, a petition for the improvement of both sides of the public highway situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter more particularly set forth, by the installation of street lighting equipment hereinafter more particularly described, was presented to this Town Board on the 21st day of September, 1970.

PUBLIC HIGHWAY TO BE **IMPROVED** 

Name of Highway: East Cherbourg Drive; From: Towers Bouleward easterly; To: east lot line of SL 255A, MC 2249 on north side, and east lot line of SL 255, MC 2249 on south side.

TYPE OF STREET LIGHTING INSTALLATION

Twelve (12) 3350 lumen electric post top type Town & Country mercury units. Estimated cost \$13.00 per year for two years per 50 foot lot. and

WHEREAS Andrew H. Schwenk, and Casimir A. Kozminski, Assessors of said Town of Cheektowaga, have certified in writing to this Board that the above petition is duly signed and ack nowledged 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 said highway to be improved as aforesaid, and WHEREAS, the said highway to

be improved as aforesaid is situated entirely in said Town outside of any incorporated village or city therein; NOW, THERE-FORE.

IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga,

on the 5th day of October, 1970, at 2:30 o'clock P. M., Eastern Daylight Saving Time, to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the DEPEW HERALD AND CHEEKTOWAGA NEWS and in the CHEEKTOWAGA TIMES

(20) days before the date for the hearing, and shall also be posted on the signboard of the Town maintained pursuant to subdivision six of section thirty of the Town Law of New York not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing.

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

SUPERVISOR:

Weber

Voting AYE

COUNCILMAN: Voting AYE Wasielewski

Voting AYE Wroblewski Voting AYE **Swiatek** Voting AYE Obstarczyk Halicki Voting AYE

Voting AYE Meyers AYES: 7 NOES: 0 ABSENT: 0 STATE OF NEW YORK ) COUNTY OF ERIE

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

i. 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 September 21, 1970, 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 Item No. 28, 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

IN WITNESS WHEREOF, I have bereunto set my hand and have bereunto affixed the corporate seal of said Town, this 22nd day of September, 1970.

BENEDICT T. HOLTZ. Town Clerk

8

STATE OF NEW YORK COUNTY OF ERIE TOWN OF CHEEKTOWAGA

of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Circulation manages 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 J..... weeks: first publication 24, 1970; last publication 4474 34 1970; and that no more than six days intervened between publications.

Starline Charong

Sworn to before me this .. 29.4.

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

GLORY ANN KRYSINSKI NOTINY PUBLIC STATE OF NEW YORK

QUALIFIED IN ERIE COUNTY COMMISSION EXPIRES MARCH 30, 19

Item No. 29 Motion by Councilman Wroblewski, Seconded by Councilman Swiatek

WHEREAS Stephen Fijalkowski has applied for a Special Permit to the Town Board for the purpose of using premises at 1233 Walden Avenue, Cheektowaga, New York for a used car sales lot, NOW THEREFORE BE IT

RESOLVED and it is hereby ordered by the Town Board of Cheektowaga that a public hearing be held pursuant to Section 6-01 and 6-012 of the Zoning Ordinance of the Town of Cheektowaga, New York on October 19, 1970 at 7:00 o'clock p.m., Eastern Daylight Saving Time for the purpose of considering the application of said Stephen Fijalkowski to conduct a used car sales lot at the aforementioned location and be it further

RESOLVED that proper legal notice of said public hearing be published in the Cheektowaga Times and Depew Herald & Cheektowaga News.

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk,

Halicki, Wasielewski and Meyers.

NAYES:

0

ABSENT:

Item No. 30 Motion by Councilman Wroblewski, Seconded by Councilman Swiatek

WHEREAS John Tewey has applied for a Special Permit to the Town Board for the purpose of using premises at 3117 Genesee Street, Cheektowaga, New York for a used car sales lot, NOW THEREFORE BE IT

RESOLVED and it is hereby ordered by the Town Board of Cheektowaga that a public hearing be held pursuant to Section 6-01 and 6-012 of the Zoning Ordinance of the Town of Cheektowaga, New York on October 19, 1970 at 7:00 o'clock p.m., Eastern Daylight Saving Time for the purpose of considering the application of said John Tewey to conduct a used car sales lot at the aforementioned location and be it further

RESOLVED that proper legal notice of said public hearing be published in the Cheektowaga Times and Depew Herald & Cheektowaga News.

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk,

Halicki, Wasielewski and Meyers.

NAYES:

, 0

ABSENT: 0

Item No. 31 Motion by Councilman Wroblewski, Seconded by Councilman Wasielewski

whereas the Town Board of Cheektowaga has agreed to grant an easement to the County of Erie and Erie County Sewer District #1 at a regular Town Board meeting of February 2, 1970 and has authorized the Town Attorney to prepare the necessary documents relative to the granting of a gas line easement to the County of Erie for the purpose of accommodating and supplying the proposed Erie County Fire Training Center located adjacent to the Town Hall property, and

WHEREAS the Town has heretofore granted an easement for sanitary purposes to the County and the Erie County Sewer District No. 1 by instrument dated December 13, 1962 and recorded in the Erie County Clerk's Office in Liber 6869 at page 449 on March 20, 1963, therefore be it

RESOLVED that the Supervisor of the Town of Cheektowaga be, and hereby is, authorized and directed to execute the said easement agreement on behalf of the Town of Cheektowaga covering the following described premises:

a strip of land centered over the following descriped center line: ALL THAT TRACE 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

9/21/70

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RICHARD	G.	BENNETT

being duly sworn, deposes and says that he is the

**PUBLISHER** 

## Herald and

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 La day of Catalan , 1920 , and the last insertion being on the ......day of ...... 19......, and that not more than six days intervened between any two publications thereof.

Sworn to before me this 124 day of

Notary Public in and for Erie County

CAROL P. BENNETT

NOTARY PUBLIC, STATE OF NEW YORK

Qualified in Eric County

My Commission Expires March 30, 192>

STATE OF NEW YORK

OF ERIE

SS.:

#### RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

### **PUBLISHER**

... of the

was the said Taum of Cheek-min, corner of Broadway and the said Tags of Cheektenga, corner of Broadway and Station Road, on the 19th day of October, 1970, at 7:00 o'clock R.M. Eastern Daylight Saving time of said day, for the purpose of considering the application of John Tewey, for a Special Paranit for a Used Car Sales for passer of the Town and Section 8-012 of the Car Sales for pursuant to Section and Section 8-012 of the Car Sales for passer of the Town Carlington of the Sales for the Sales for the Sales of the Sales for the Sales of the Sales of

Daniel E. Weber
Supervisor
Folix T. Wroblewski
Countilman
Frank E. Swiatek
Countilman
Lancin J. Meyers
Lancin J. Meyers
Lancin R. Obstarczyk
Councilman
Donald A. Halicki
Councilman Councilman Raymond J. Wasielewski Councilman BENEDICT T. HOLTZ Town Clerk

The state of the s

LEGALNOTICE NOTICE IS HEREBY GIVEN that a Public Hearing will be held by Town Board of the Town of Chelitowaga, Eric County, New York at the Town Hall in the said Town of Chelitowaga, corner of Broadway and Union Road, on the 19th day of October 1970, at 7:00 of clock P.M., Eastern Daylight Saving Time of said day for the purpose of considering the appli-nation of Stephen A. and Genevieve Talkowski for a Special Permit For a Used Car Sales Lot on grogerty located at 1223 Walden Avenue, Cheektowaga, Few York, gurmaist to Section 6-9 and Section 8-012 of the Zoning Ordinance of the Town of Cheektowaga, New York

of the Town of Cheektowaga, New All parties in interest and citito be heard in regard to such arreposed application.

BY ORDER OF THE TOWN

BOARD

Supervisor Daniel E. Weber Councilman Felix T. Wroblewski

Councilman Frank E. Swiatek Swiatek Councilman Kenneth J.

Meyers

Councilman Joseph R. Obstarczyk

Councilman Donald A. Halicki

Councilman Raymond J. Wasielewski BENEDICT T. HOLTZ, Town Clerk

(08)

STATE OF NEW YORK COUNTY OF ERIE TOWN OF CHEEKTOWAGA

A STATE OF THE STA

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

first publication Oct. 8,1970 last publication Ost 8, 1970 and that no more than six days intervened between publications.

Hillad Callis
Sworn to before me this 13th

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

GLORY ANN KRYSINSKI

NOTARY PUBLIC STATE OF NEW YORK QUALIFIED IN ERIE COUNTY MY COMMISSION EXPIRES MARCH 30. 19 72

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### Item No. 31 contid

Road and the northerly right-of-way line of the Niagara Mohawk Power Corporation; thence easterly at an interior angle of  $87^{\circ}$  -05' to the easterly line of lands conveyed by Town of Cheektowaga to County of Erie by deed dated May 20, 1970 and recorded in the Erie County Clerks Office in Liber 7691 at page 165 on May 25, 1970.

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk,

Halicki, Wasielewski and Meyers.

NAYES:

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ABSENT:

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### VI. FROM THE TABLE

Item No. 32 Create position of Court Clerk to Town Justice.
Tabled unanimously until the October 5, 1970 meeting.

### VII. SUSPENSION OF RULE

Item No. 33 Como Park Blvd. & Union Road Citizens & Taxpayers Association - opposition to abolishment of Civil Service Post of Court Clerk.

Received and Filed

Item No. 34 Petition from residents regarding repair of French Road Bridge. Referred to Town Attorney, John Rogowski

Item No. 35 Motion by Councilman Halicki, Seconded by Councilman Wroblewski

BE IT RESOLVED that the following named vouchers and warrants submitted to the Town of Cheektowaga for the period ending September 21, 1970 be and hereby are approved and that the Supervisor pay said warrants:

FUND	FROM	<u>T0</u>	AMOUNT
General	7709	7813	\$112.545.07
Special Districts	3398	3439	88,681.87
Highway	2621	2647	68,591.10
Part Town	648	659	2,224.34
Trust & Agency	256	257	4,302.16

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski Swiatek, Obstarczyk,

Halicki, Wasielewski and Meyers.

NAYES:

ABSENT:

0

Item No. 36 Statement of monies from Supervisor Daniel E. Weber Received and Filed

Item No. 37 Motion by Councilman Swiatek, Seconded by Councilman Wasielewski

BE IT HEREBY RESOLVED, that the Liberty National Bank and Trust Company, Harlem Road Branch, be designated as the depository for all funds to be received directly from the United States Treasury Department resulting from Project No. NY-OSA-110, Open Space Land Program (Dartwood Drive site), executed with the United States Department of Housing and Urban Development.

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Swkatek, Obstarczyk,

Halicki, Wasielewski and Meyers.

NAYES:

n

**ABSENT:** 9/21/70

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Motion by Councilman Swiatek, Seconded by Councilman Halicki Item No. 38

BE IT RESOLVED that the Cheektowaga Town Board authorizes Walter E. Maue and James M. Thorton, licensed real estate brokers with offices in the Town of Cheektowaga, to each perform an up-to-date appraisal of the Eiffel Estates Park site.

UPON ROLL CALL....

AY ES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk,

Halicki, Wasielewski and Meyers.

NAYES:

0

ABSENT:

N.Y.S. Dept. of Transportation - methods of handling drainage. <u>Item No. 39</u> Referred to Town Engineer, Chester Bryan

Item No. 40 Motion by Supervisor Weber, Seconded by Councilman Wasielewski

WHEREAS, the Town of Cheektowaga has advertised for bids to extend the sanitary sewer on Broadway, east of Harlem Road and construction is to begin immediately after the award of the contract, NOW THEREFORE BE IT

RESOLVED, that Bi-Lo Gas Station located on Broadway, east of Harlem Road be granted permission to use an on-the-spot toilet facility until such time as the extension of a sanitary sewer is completed.

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstrarczyk,

Halicki, Wasielewski and Meyers.

NAYES:

ABSENT:

Motion by Councilman Wroblewski, Seconded by Councilman Swiatek Item No. 41

WHEREAS Anthony Sklarz has applied for a rezoning from R- Residential District to C - Retail Business District the following described premises: portion of subdivision lots nos. 6 & 7 and all of subdivision lot no. 8, Block C, Map Cover 257 and commonly known as 2092 Clinton Street and requested a public hearing pursuant to Article X of the Zoning Ordinances of the Town of Cheektowaga, therefore be it

RESOLVED, and it is hereby ordered by the Town Board of Cheektowaga that a public hearing be held pursuant to Article X of the Zoning Ordinances of the Town of Cheektowaga, New York on October 19, 1970 at 7:00 o'clock p.m., Eastern Daylight Saving Time, for the purpose of considering the application of said Anthony Sklarz for said rezoning at the aforementioned location, and be it

FURTHER RESOLVED that proper legal notice of said public hearing be published in the Cheektowaga Times and the Depew Herald & Cheektowaga News.

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk,

Halicki, Wasielewski and Meyers.

NAYES:

ABSENT:

Motion by Councilman Swiatek, Seconded by Councilman Halicki Item No. 42

BE IT RESOLVED that the Town Attorney is hereby authorized to appoint an architect and inspector to take a survey of the property located at 58 and 117 Dartwood Drive, Cheektowaga, New York to determine whether the buildings are unsafe and in a dangerous condition. The Town Attorney is also authorized to notify the owner of the said properties to appoint a practical builder, engineer or architect to survey said premises.

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk,

Halicki, Wasielewski and Meyers.

NAYES:

ABSENT:

0

9/21/70

-11-

Item No. 43 Motion by Councilman Obstarczyk, Seconded by Councilman Wasielewski to adjourn the meeting until Saturday, September 26, 1970.

BENEDICT T. HOLTZ Town Clerk

9/21/70

-12-

Item No. 1 At a regular adjourned meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 26th day of September, 1970 at 12:30 o'clock p.m., Eastern Daylight Saving Time there were:

PRESENT: Daniel E. Weber Supervisor
Felix T. Wroblewski Councilman
Frank E. Swiatek Councilman
Kenneth J. Meyers Councilman
Joseph R. Obstarczyk Councilman
Donald A. Halicki Councilman
Raymond J. Wasielewski Councilman

ABSENT:

Motion by Councilman Wroblewski, Seconded by Councilman Swiatek to appoint Mr. Robert Miller, Deputy Town Attorney as temporary Town Clerk.

Item No. 2 Communication and resolution from John Rogowski, Town Attorney regarding a ward system for election of six District Councilmen.

Motion by Councilman Obstarczyk, Seconded by Councilman Wasielewski

WHEREAS a petition has been filed in the Cheektowaga Town Clerk's Office in the Town of Cheektowaga, New York on the 16th day of September, 1970 petitioning the Town Board to cause to be submitted to a referendum at a special town election as provided for in Section 81 of the Town Law, a proposition to void the present system of six (6) Councilman-at-large and to establish an equally divided ward or legislative district system for the election of six (6) District Councilmen, effective at the expiration of the terms of the present Councilmen, and

WHEREAS said petition appears to contain upwards of three thousand signatures of alleged electors of the Town of Cheektowaga, and

WHEREAS said petition includes more than one proposition, namely:
a) requesting the establishment of a ward system, b) requesting that six (6) Councilmen be elected under said ward system and c) that said election of six (6) District Councilmen would be effective at the expiration of the terms of the present councilmen, and

WHEREAS each proposition should have been submitted under a separate petition, and

WHEREAS the proposition calls for "election of six (6) District Councilmen, effective at the expiration of the terms of the present Councilmen", and

whereas such proposition is apparently contrary to, and in violation of, Section 85 of the Town Law which states in part" ... After a ward system shall have been so established, the term of office of every town councilman shall terminate on the thirty-first day of December next succeeding the first biennial town election, and every biennial town election thereafter, one resident elector of each ward shall be elected as councilman therefrom for a term of two years beginning on the first day of January next succeeding such election", and

WHEREAS said phrase of proposition "effective at the expiration of the terms of the present Councilmen" is vague, uncertain and fails to specify the exact wards which would effect the three councilmen whose terms expire at the next ensuing election, and

WHEREAS the adoption of a resolution calling for said election would necessarily entail expenditures of money for the holding of said referendum may be ofjected to as being void, illegal and improper in view of the aforesaid paragraphs of this resolution, THEREFORE, BE IT

RESOLVED that said petition requesting the aforementioned propositions is hereby rejected and is further declared to be defective, void and of no effect because it apparently attempts to submit more than one proposition on one petition and it apparently attempts to determine illegally and improperly the termination 9/26/70

### Item No. 2 cont'd

of office of councilmen contrary to provisions of Section 85 of the Town Law.

UPON ROLL CALL....

AYES:

Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk,

Halicki, Wasielewski and Meyers.

NAY ES:

ABSENT:

Item No. 3 Morris, Bray and DeSantis, Attorney-at-law, - recommendation of appointment of Thomas Kolbert as Court Clerk.

Received and Filed

Resolution calling for a special election establishing an equally Item No. 4 divided ward or legislative district system for election of six Councilmen. Lost for lack of second

Item No. 5 Motion by Councilman Swiatek, Seconded by Councilman Obstarczyk to adjourn the meeting.

> ROBERT MILLER Deputy Town Attorney