

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 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

ABSENT: 0

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.

Item No. 2 Appointment of Kenneth J. Meyers as Councilman on Cheektowaga Town 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: 0  
ABSENT: 0  
VACANCY: 1

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

WHEREAS Kenneth J. Meyers of Cheektowaga, New 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----

AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki and Wasielewski  
NAYES: 0  
ABSENT: 0  
VACANCY: 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,  
Wasielowski 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

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.

Item No. 21 R. C. Maciuba, , Depew - rat infestation Dick Road Area.  
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: 0

Item No. 23 Kenneth W. Kitzinger, Attorney-at-Law - Volume 24 State Comptrollers Opinions.  
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----

AYES:            Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,  
                  Wasielewski and Meyers  
NAYES:           0  
ABSENT:          0

Item No. 27      Attorney - request for Public Hearing for Special Permit for public  
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:          0

(Affidavit Next Page)

STATE OF NEW YORK  
COUNTY OF ERIE

SS.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a newspaper with general circulation in the Towns of Cheektowaga and Lancaster, and published at Depew, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 9th day of July, 1970, and the last insertion being on the day of 1970, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

On this 13th day of July, 1970, at the Town of Cheektowaga, New York, at the Town Hall, on the 20th day of July, 1970, at 7:00 o'clock P.M., in the presence of the Town Clerk, and a majority of the Town Council, for the purpose of conducting the application of U-Drive-It Corp., for a Permit to conduct a car wash located at 4197 Main Street, Cheektowaga, New York, pursuant to Section 6-012 of the Code of the Town of Cheektowaga, New York. The parties in interest and their counsel will be given an opportunity to be heard in regard to the proposed application.

**TOWN OF THE TOWN**

Paul E. Weber  
Supervisor  
John T. Wroblewski  
Councilman  
Frank E. Swiatek  
Councilman  
Joseph R. Obetarczyk  
Councilman  
Donald A. Halicki  
Councilman  
Raymond J. Wasielewski  
Councilman  
Kenneth J. Meyers  
Councilman  
BENEDICT T. HOLTZ  
Town Clerk

13th day of

July, 1970

*Carol P. Bennett*

Notary Public in and for Erie County

CAROL P. BENNETT

NOTARY PUBLIC, STATE OF NEW YORK

Qualified in Erie County

My Commission Expires March 30, 1972

STATE OF NEW YORK  
COUNTY OF ERIE

SS.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

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*Richard G. Bennett*

Sworn to before me this 13th day of

July, 1970  
*Carol P. Bennett*

Notary Public in and for Erie County

CAROL P. BENNETT  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1972

...at the Town of Cheektowaga, New York, at the corner of Broadway and ... on the 20th day of ... at 7:00 o'clock P.M., ... Daylight Saving Time ... for the purpose of ... the application of ... B-Drive-It Corp., for a ... Permit to conduct a ... car wash located at 4127 ... Street, Cheektowaga, ... pursuant to Section ... Section 4-012 of the ... of the Town ... New York. ... is interest and ... will be given an opportunity to be heard in regard ... proposed application. ... OF THE TOWN ... E. Weber ... Supervisor ... T. Wroblewski ... Councilman ... E. Swiatek ... Councilman ... R. Ostarczyk ... Councilman ... A. Halicki ... Councilman ... J. Wasilewski ... Councilman

A Public Hearing will be held by the Town of Cheektowaga, Erie County, New York, at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Street, on the 20th day of July, 1960, at 7:00 o'clock P.M., Eastern Daylight Saving Time of said day for the purpose of considering the application of Huron U-Haul-H Corp. for a Special Permit to conduct a public car wash located at 4197 Genesee Street, Cheektowaga, New York pursuant to Section 601 and Section 4-012 of the Zoning Ordinance 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**

Supervisor Daniel E. Weber  
Councilman

Paul T. Wroblewski

Councilman Frank E. Swiatek  
Councilman

Joseph R. Obstarczyk

Councilman Donald A. Halicki  
Councilman

Raymond J. Wasielewski

Councilman  
Kenneth J. Meyers

BENEDICT T. HOLTZ,  
Town Clerk

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1..... weeks:

first publication..... July 9, 1970.....;

last publication..... July 9, 1970.....;

and that no more than six days intervened between publications.

Willard C. Allis  
Sworn to before me this 10th

day of July, 1970

Glory Ann Krynski

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

GLORY ANN KRYNSKI  
NOTARY PUBLIC STATE OF NEW YORK  
QUALIFIED IN ERIE COUNTY  
MY COMMISSION EXPIRES MARCH 20, 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: 0  
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

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of the

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*Richard G. Bennett*

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

is 13th day of

1970

Notary Public in and for Erie County

CAROL P. BENNETT  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1972

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: 0  
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

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*Richard G. Bennett*

Sworn to before me this 13th day of

July, 1970

*Carol P. Bennett*

Notary Public in and for Erie County

CAROL P. BENNETT  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1972

7/6/70



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**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 20th day of July 1970, at 7:00 o'clock P.M., Eastern Daylight Saving Time, of said day 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 400 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, 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**

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  
BENEDICT T. BOLTZ,  
Town Clerk

(19)

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: 0  
ABSENT: 0

(Affidavit Attestation)

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

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

first publication..... July 9, 1970.....;

last publication..... July 9, 1970.....;

and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this 10th

day of July, 1970

*Glory Ann Krynski*

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

GLORY ANN KRYSINSKI  
NOTARY PUBLIC STATE OF NEW YORK  
QUALIFIED IN ERIE COUNTY  
MY COMMISSION EXPIRES MARCH 20, 1972

7/6/70

Item No. 29 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: 0

ABSENT: 0

(Affidavit Next Page)

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

RICHARD G. BENNETT

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

Depew Cheektowaga  
**Herald and News**

a newspaper with general circulation in the Towns of  
Cheektowaga and Lancaster, and published at Depew,  
New York, that notice of which the annexed printed  
slip taken from said newspaper, is a copy, was in-  
serted and published therein once a week for 6  
week, the first insertion being on the 9<sup>th</sup> day  
of July, 1970, and the last inser-  
tion being on the        day of       ,  
19      , and that not more than six days intervened  
between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this 13<sup>th</sup> day of

July, 1970  
*Carol P. Bennett*

Notary Public in and for Erie County

CAROL P. BENNETT  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1972

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

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the  
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of July, 1970, and the last inser-  
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19      , and that not more than six days intervened  
between any two publications thereof.

*Richard G. Bennett*

13<sup>th</sup> day of  
1970

*Carol P. Bennett*

Notary Public in and for Erie County

CAROL P. BENNETT

NOTARY PUBLIC, STATE OF NEW YORK

Qualified in Erie County

My Commission Expires March 30, 1972

On the 13th day of July, 1970, at Depew, New York, I, the undersigned, Notary Public in and for Erie County, New York, did personally appear Richard G. Bennett, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed. I, the undersigned, being duly sworn, depose and say 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 1 week, the first insertion being on the 9<sup>th</sup> day of July, 1970, and the last insertion being on the        day of       , 19      , and that not more than six days intervened between any two publications thereof.

Witness my hand and the seal of my office this 13th day of July, 1970.

Richard G. Bennett  
Publisher

Carol P. Bennett  
Notary Public

Joseph E. Wastelowski  
Councilman

Elizabeth J. Meyers  
Councilman

Benedict T. Holtz  
Town Clerk

100 10 717103

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 20th day of July, 1970, at 7:00 o'clock P.M., Eastern Daylight Savings Time of said day for the purpose of considering the application of Cheektowaga Town Board for the Rezoning from R - Residential District to CM - General Commercial District of the property located at the southeast corner of Harlem Road and Southside Parkway and amending 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 citizens will be given an opportunity to be heard in regard to such proposed application.

BY ORDER OF THE TOWN BOARD

Supervisor Daniel E. Weber  
Councilman

Felix T. Wroblewski

Councilman Frank E. Swiatek  
Councilman

Joseph R. Obstarayk

Councilman Donald A. Hallack  
Councilman

Raymond J. Wasielewski

Councilman

Kenneth J. Meyers

BENEDECT T. HOLTZ,  
Town Clerk

(19)

#22

#23

#24

#25

#26

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#31

#32

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks:

first publication July 9, 1970;  
last publication July 9, 1970;  
and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this 10th

day of July, 1970

Glory Ann Krynski

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

GLORY ANN KRYNSKI  
NOTARY PUBLIC STATE OF NEW YORK  
QUALIFIED IN ERIE COUNTY  
MY COMMISSION EXPIRES MARCH 30, 1972

Attended by Pastor of [unclear] to table



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

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

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 Richard Jachimiak, , Cheektowaga, New York.

Item No. 35 cont'd

Upon Roll Call----

AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,  
Wasielowski and Meyers  
NAYES: 0  
ABSENT: 0

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

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,  
Wasielowski and Meyers  
NAYES: 0  
ABSENT: 0

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

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.

Item No. 38 Appointment of John Krickovich, , Depew, to the Repair  
Garage.

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

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

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,  
Wasielowski and Meyers  
NAYES: 0  
ABSENT: 0

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

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

WHEREAS numerous meetings, conferences, grievance procedures and con-  
tract negotiations can reasonably be expected, and

WHEREAS there appears to be a need for a representative or represent-  
atives 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: 0

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: 0



YORK } ss.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a newspaper with general circulation in the Towns of Cheektowaga and Lancaster, and published at Depew, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 27th day of July, 1970, and the last insertion being on the day of 19, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this 27th day of

*Carol P. Bennett*, 1970

Notary Public in and for Erie County

CAROL P. BENNETT  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1972

7/6/70

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

STATE OF NEW YORK  
COUNTY OF ERIE

ss.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

**JUDICIAL NOTICE**

At a regular meeting of the Town Board of the Town of Cheektowaga, 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 p.m. Eastern Daylight Saving Time, there were:

**PRESENT:**

Daniel E. Weber, Supervisor  
Dmitry 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**

Motion by Supervisor Weber, seconded by Councilman Wroblewski

**IT IS 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 PARCELS OF LAND** situate in the Town of Cheektowaga, County of Erie, State of New York and being part of Lot 11, Township 10 North, 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 northward and the southerly line of South Creek Drive produced northward as shown on Map No. 1000 known as Glen Estate 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 50.0 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 or place of beginning.

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 CHEEKTOWAGA 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

Councilman 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

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 CHEEKTOWAGA 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

Councilman Halicki

Voting AYE

Councilman 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 hereinafter described, DO HEREBY CERTIFY as follows:

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on 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

ly23

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

# LEGAL NOTICE

At a regular meeting of the Town Board at the Town of Cheektowaga, Erie 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 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

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 fol-

lowing described land situated 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 beginning 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 41.0 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 or place of beginning.

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 Cheektowaga TIMES and shall be posted as required by law.

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

SUPERVISOR:	Webster	Voting AYE
COUNCILMEN:	Wroblewski	Voting AYE
	Swiatek	Voting AYE
	Obstarczyk	Voting AYE
	Halicki	Voting AYE
	Wasielewski	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 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 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 minutes appear at Item No. 42, 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 unto affixed the corporate seal of said Town, this 6th day of July, 1970.

BENEDICT T. HOLTZ  
Town Clerk



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

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

first publication..... July 23, 1970.....;

last publication..... July 23, 1970.....;

and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this ..... 24th

day of ..... July ..... 1970..

*Glory Ann Krynski*

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

GLORY ANN KRYNSKI

NOTARY PUBLIC STATE OF NEW YORK

QUALIFIED ..... COUNTY

MY COMMISSION EXPIRES MARCH 30, 1972

Item No. 43

Consent to abandon Seton Road - (not a resolution)

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  $87^{\circ} 52' 43''$  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; extended 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  
Supervisor

ss/ Kenneth J. Meyers  
Councilman

ss/ Frank E. Swiatek  
Councilman

ss/ F. T. Wroblewski  
Councilman

ss/ Raymond J. Wasielewski  
Councilman

ss/ Donald A. Halicki  
Councilman

ss/ Joseph R. Obstarczyk  
Councilman

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  
Councilman

ss/ Frank E. Swiatek  
Councilman

ss/ F. T. Wroblewski  
Councilman

ss/ Raymond J. Wasielewski  
Councilman

ss/ Donald A. Halicki  
Councilman

ss/ Joseph R. Obstarczyk  
Councilman

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: 0  
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	M.C. 1317
Buffalo, New York	S.L. 22 to 24
	S.E. Corner of Genesee and Woodrow Pl.
The Foisset Corp.	M.C. 2122-2137
1368 Sycamore	S.L. 77
Buffalo, New York 14211	S.E. Corner South Creek and Jamiaca Lane
Modern Home Builders, Inc.	M.C. 2169
33 Reynolds Road	S.L. 115
West Seneca, New York 14224	On Biscayne Drive
Santin & Affrunti	M.C. 2169
3685 Harlem Road	S.L. 116
Buffalo, New York 14215	On Biscayne Drive
Cervi Construction	M.C. 2082-2107
323 North Creek Drive	S.L. 100
Depew, New York 14043	E. Side of Homeworth Parkway
Sinicki, Edward	M.C. 492
Cheektowaga, New York 14225	S.L. 110 (part of)
Cotter, John	M.C. 492
Cheektowaga, New York 14225	S.L. 114 (part of)
Willerth, William	M.C. 733
Cheektowaga, New York 14225	S.L. 8-BL.B
	N.W. Corner of W. Sobieski and Bue11 Avenue

STATE OF NEW YORK  
COUNTY OF ERIE

} ss.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

WHEREAS, the Town Board of Cheektowaga has rendered its decision granting the application of the petitioner to remove from C — Retail Business District to CM — General Commercial District of the property hereinafter described and directed amendment of the Zoning Map and Ordinance accordingly, and

WHEREAS, the Town Board of Cheektowaga has rendered its decision granting the application of the petitioner to remove from C — Retail Business District to CM — General Commercial District the property hereinafter described, be it

RESOLVED, that the decision of the Town Board granting the application of the petitioner to remove from R — Retail Business Dist. to CM — General Commercial Dist. be and the same is hereby confirmed, and be it

FURTHER RESOLVED by this Town Board that the Ordinance adopted December 27, 1969 and as now amended be and the same is hereby amended by changing the Zoning Map so as to change the following described property from that of C — Retail Business District to CM — General Commercial District.

DESCRIPTION

354 Diggins Street  
ALL THAT TRACT OR PARCEL OF LAND located in the Town of Cheektowaga, 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 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

au6

#22

#23

#24

#31

#32

STATE OF NEW YORK  
COUNTY OF ERIE

ss.: }

WHEREAS, the Town Board of Cheektowaga has rendered its decision granting the application of the petitioner to remove from C — Retail Business District to CM — General Commercial District of the property hereinafter described and directed amendment of the Zoning Map and Ordinance accordingly,

WHEREAS, the Town Board of Cheektowaga has rendered its decision granting the application of the petitioner to remove from C — Retail Business District to CM — General Commercial District the property hereinafter described, be it

RESOLVED, that the decision of the Town Board granting the application of the petitioner to remove from R — Retail Business Dist. to CM — General Commercial Dist. be and the same is hereby confirmed, and be it

FURTHER RESOLVED by this Town Board that the Ordinance adopted December 27, 1969 and as now amended be and the same is hereby amended by changing the Zoning Map so as to change the following described property from that of C — Retail Business District to CM — General Commercial District

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a newspaper with general circulation in the Towns of Cheektowaga and Lancaster, and published at Depew, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 6th day of August, 1970, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this 10th day of

*August, 1970*  
*Carol P. Bennett*

Notary Public in and for Erie County

CAROL P. BENNETT  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1972

WHEREAS, the Town Board of the Town of Cheektowaga, Erie County, New York, held a public hearing for the purpose of considering the application of Niagara Frontier Services, Inc. for the rezoning of premises from C-Retail Business District to CM-General Commercial District of the property hereinafter described and directed amendment of the Zoning Map and Ordinance accordingly,

WHEREAS, the Town Board of Cheektowaga has rendered its decision granting the application of the petitioner to rezone from C-Retail Business District to CM-General Commercial District the property hereinafter described, be it

RESOLVED, that the decision of the Town Board granting the application of the petitioner to rezone from C-Retail Business Dist. to CM-General Commercial Dist. be and the same is hereby confirmed, and be it

FURTHER RESOLVED by this Town Board that the Ordinance adopted December 27, 1969 and as now amended be and the same is hereby amended by changing the Zoning Map so as to change the following described property from that of C-Retail Business District to CM-General Commercial District.

DESCRIPTION

454 Dingens Street

ALL THAT TRACTOR PARCEL OF LAND located in the Town of Cheektowaga, 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 Erie County Clerk's Office on October 9, 1952 under Cover No. 1791.

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

Dated: August 4, 1970  
(46)



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

Maidie Cherry, of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
Circulation Manager of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for ..... weeks:  
first publication August 6, 1970;  
last publication August 6, 1970;  
and that no more than six days intervened be-  
tween publications.

Maidie Cherry  
Sworn to before me this 10th  
day of August, 1970.  
Glory Ann Krynski  
Notary public in and for Erie County, N. Y.

GLORY ANN KRYNSKI  
NOTARY PUBLIC STATE OF NEW YORK  
QUALIFIED IN ERIE COUNTY  
MY COMMISSION EXPIRES MARCH 30, 1972

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: 0

ABSENT: 0

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

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,  
Wasielewski and Meyers

NAYES: 0

ABSENT: 0

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

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	To
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

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

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:	0

(Affidavit Next Page)

STATE OF NEW YORK

COUNTY OF ERIE

SS

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, 1970.

BENEDICT T. HOLTZ,  
Town Clerk.

Sworn to before me this

24th day of July, 1970.

Sheryl A. Hurman

SHERYL A. HURMAN  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires March 28, 1972

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

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

a newspaper with general circulation in the Towns of  
Cheektowaga and Lancaster, and published at Depew,  
New York, that notice of which the annexed printed  
slip taken from said newspaper, is a copy, was in-  
serted and published therein once a week for 1  
week, the first insertion being on the 9th day  
of July, 1970, and the last inser-  
tion being on the        day of       ,  
19      , and that not more than six days intervened  
between any two publications thereof.

Richard G. Bennett

Sworn to before me this 13th day of

July, 1970

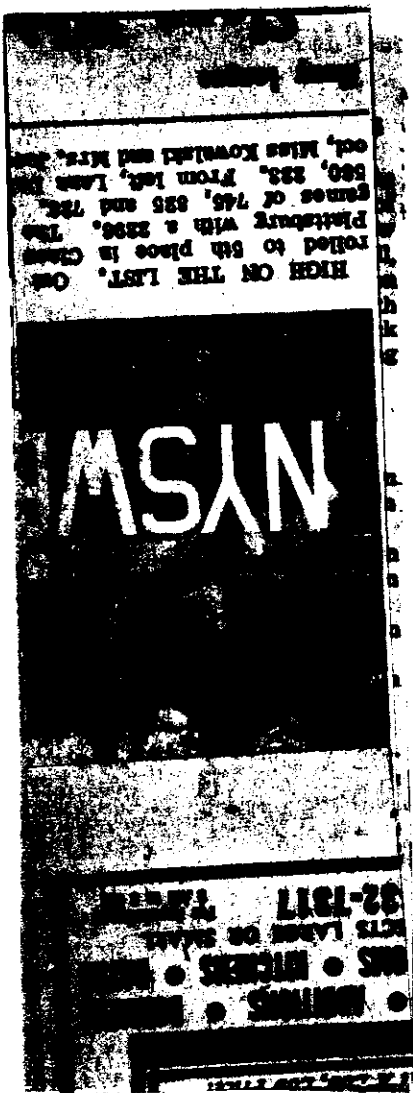
Notary Public in and for Erie County

CAROL P. BENNETT

NOTARY PUBLIC, STATE OF NEW YORK

Qualified in Erie County

My Commission Expires March 30, 1971





IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall, corner of Franklin and Union Roads, 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 Duquesne 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.

Witness my hand and duty seal to a vote well counted as follows:

Supervisor Weller, Voting Aye  
Councilman Meyers, Voting Aye  
Councilman Warkentin, Voting Aye  
Councilman Swintok, Voting Aye  
Councilman Ostrowsky, Voting Aye  
Councilman Halket, Voting Aye  
Councilman Wankiewicz, Voting Aye

AYES: 7; NOES: 0

Benedict T. Holtz

Town Clerk of the Town of

Cheektowaga, a town located in the County of Erie, State of New York, was duly held on July 7th, 1970, and minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with the purpose of recording the minutes of meetings of said Board, and such minutes appear at that No. 49 inclusive of said Book.

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.

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 7th day of July, 1970.  
BENEDICT T. HOLTZ,  
 Town Clerk.

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 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. Wasielowski  
Councilman  
Kenneth J. Meyers

ABSENT: 0

Item No. 49. 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 Commercial Lighting District of the Town of Cheektowaga, hereinafter more particularly set forth, by the installation of street lighting hereinafter more particularly described, was presented to the Town Board on the 6th day of July, 1970.

PUBLIC HIGHWAY

TO BE IMPROVED

Public Highway: Lottavre Drive; from south lot line of SL 369, to north lot line of SL 311, MC 2349 on north side. To: Also west lot line of MC 424 to east lot line of SL 369, MC 2349 on south side.

TYPE OF STREET

Lighting Installation  
Street-line (39) 3350 lumens street post top type (Town & County) mercury units. Estimated cost per year for two years \$13.00 per lot.

WHEREAS Andrew H. Schwank, Henry E. Janicki, and Casimir A. Staszewski, 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 acreage 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.

Seconded by Councilman Swiatek 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
Wasielowski	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 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 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. 49, 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 7th day of July, 1970.

BENEDICT T. HOLTZ,  
Town Clerk

(119)

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

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

first publication July 9, 1970;  
last publication July 9, 1970;  
and that no more than six days intervened between publications.

Willard C. Allis  
Sworn to before me this 10th

day of July 19 70  
Glory Ann Krynski  
Notary public in and for Erie County, N. Y.

GLORY ANN KRYNSKI  
NOTARY PUBLIC STATE OF NEW YORK  
QUALIFIED IN ERIE COUNTY  
MY COMMISSION EXPIRES MARCH 30, 19 72

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	To
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:	0

(Affidavit Next Page)

STATE OF NEW YORK

COUNTY OF ERIE

SS

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 Gregory Court, 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, 1970.

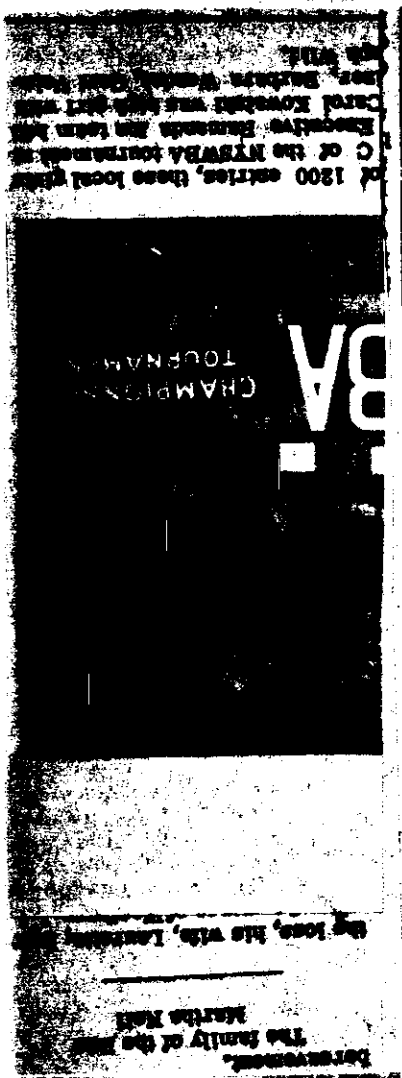
BENEDICT T. HOLTZ,  
Town Clerk.

Sworn to before me this

24th day of July, 1970

Sherry L. A. Purdie

Sherry L. A. Purdie  
County Clerk, State of New York  
Qualified in this County  
My Commission Expires March 28, 1972



RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a newspaper with general circulation in the Towns of  
Cheektowaga and Lancaster, and published at Depew,  
New York, that notice of which the annexed printed  
slip taken from said newspaper, is a copy, was in-  
serted and published therein once a week for 1  
week, the first insertion being on the 9<sup>th</sup> day  
of July, 1970, and the last inser-  
tion being on the        day of       ,  
19      , and that not more than six days intervened  
between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this 13<sup>th</sup> day of

July, 1970  
*Carol P. Bennett*

Notary Public in and for Erie County

CAROL P. BENNETT  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1972

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PLAINTIFF

**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 6th day of July, 1970, at 2:30 o'clock p.m., Eastern Daylight Saving Time, there were:

**PRESENT:**

Donald E. Weber, Supervisor  
Alex T. Wroblewski, Councilman  
Frank E. Swiatek, Councilman  
Joseph R. Obstarczyk, Councilman  
Donald A. Halicki, Councilman  
Edmund J. Wasielewski, Councilman  
Kenneth J. Meyers, Councilman

**ABSENT:** 0

**Item No. 50**

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 described, by the installation of street lighting equipment, hereinafter more particularly described, was presented to the Town Board, on the 6th day of July, 1970.

**Now, Highway to be improved**  
Gregory Court from East lot 8 of sub lots 8 and 85 Map 3356 and proceeding west from north, then east to the corner of sub lots 24 and 25 of Map 3356.

**Details of Street Lighting Installation**

Number (14) 3360 lumens  
pole post top type (Town Board) mercury units. Estimated cost \$13.00 per year for 50 ft. lot.

**WHEREAS**, Andrew H. [illegible], Henry J. Janicki, and [illegible] A. Kozminski, assessors of the Town of Cheektowaga, have certified in writing to this Board that the above petition is true, 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 & 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 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

Councilman Obstarczyk,

Voting Aye

Councilman Halicki,

that a copy of this order, certified by the Town Clerk, be published at least once in the Oswego 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 meeting, 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 meeting.

Resolved by Councilman [illegible] and duly put to a vote, which resulted as follows:

Councilman Weber, Voting Aye  
Councilman Meyers, Voting Aye  
Councilman Wroblewski, Voting Aye  
Councilman Swiatek, Voting Aye  
Councilman Chobotayk, Voting Aye  
Councilman Halicki, Voting Aye  
Councilman Wroblewski, Voting Aye

Resolved by Councilman [illegible] and duly put to a vote, which resulted as follows:

Resolved by Councilman [illegible] and duly put to a vote, which resulted as follows:

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

**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 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  
Councilman  
Kenneth J. Meyers

**ABSENT: 0**

Item No. 50. 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 presented to this Town Board on the 20th day of July, 1970.

**PUBLIC HIGHWAY  
TO BE IMPROVED**

Location of Highway: Gregory Court;  
From: East lot line of sub lots 10 and 11 Map cover 2200 and proceeding west then north, thence east to the east lot line of sub lots 10 and 11 Map cover 2200

**TYPE OF STREET**

**LIGHTING INSTALLATION**  
Fifteen (15) 1000 lumenalike, high pressure sodium vapor street lighting poles with two (2) 100 watt mercury vapor lamps. Estimated cost \$1500 per year for two years, plus tax.

WHEREAS Andrew E. Sporn, Harry J. Janicki, and Charles A. Kowalski, 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 owner of more than one-half of the entire frontage or bounds to 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 whereof 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.

Seconded by Councilman Halicki 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 hereinafter de-

scribed, DO HEREBY CERTIFY as follows:

1. A REGULAR meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on 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 seal 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 } ss.

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

first publication..... July 9, 1970;  
last publication..... July 9, 1970;

and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this 10th

day of July, 1970.

*Glory Ann Krysiniski*

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

GLORY ANN KRYSINSKI  
NOTARY PUBLIC STATE OF NEW YORK  
QUALIFIED IN ERIE CO  
MY COMMISSION EXPIRES MARCH 20, 1972



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

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

General	Youth Service	03-271-021 Office Expense to 03-271-02 Travel Expense	\$500.00
Highway	Item 3 Item 3	05-180-032 to 05-005-026	2.78
	Item 3 Item 3	05-005-026 to 05-018-032	151.84

Upon Roll Call----

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:

FUND	CHECK NUMBERS		AMOUNT
	From	To	
General	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
			<u>\$637,320.56</u>

Upon Roll Call----

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

NAYES: 0

ABSENT: 0

#### 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 Call----

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

NAYES: 0

ABSENT: 0

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

VIRGINIA JANORA  
Deputy Town Clerk

Cheektowaga, New York  
July 15, 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 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: Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki,  
Wasielewski and Meyers  
NAYS: 0  
ABSENT: 0

Item No. 3 Appointment of Thomas T. Kolbert to position of "Clerk to the Town  
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: 0  
ABSENT: 0

7/15/70

## II. SUSPENSION OF RULES

Item No. 5 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: 0  
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 to the increased work loads and added automotive equipment; now therefore be it

RESOLVED that the position of Automotive Mechanic be created in the 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, effective July 7, 1970.

Upon Roll Call----

AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki, Wasielewski and Meyers  
NAYS: 0  
ABSENT: 0

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: 0  
ABSENT: 0

Item No. 8 Authorization for Benedict Kostrzewski, Chief of Police, to attend the New York State Association 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: 0

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 County Board of Legislators to commence action 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: 0  
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

7/15/70

signature of the Town Supervisor.

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: 0  
ABSENT: 0

(affidavit attached)

YORK } SS.:  
 I, the undersigned, Clerk of the Town of  
 Westtown, County of Erie, State of  
 New York, do hereby certify that  
 the following is a true and correct  
 copy of the minutes of the  
 meeting of the Board of the  
 Town of Westtown, held on the  
 15th day of September, 1970.  
 I have compared the at-  
 tached extract with said min-  
 utes as recorded and said ex-  
 tract is a true copy of said min-  
 utes and of the whole thereof.  
 To further referred to in said  
 extract.  
 I said minutes correctly  
 state the time when said meet-  
 ing was convened, the place  
 where the members of said Board  
 were assembled and meeting  
 and the substance of said Board  
 minutes to set my hand and  
 seal of said Town, this  
 15th day of September, 1970.  
 J. H. HOLZ, Town Clerk  
 DO HEREBY CERTI-  
 fied.

being duly sworn, deposes and says that he is the

PUBLISHER ..... of the

Depew Cheektowaga  
**Herald and News**

a newspaper with general circulation in the Towns of Cheektowaga and Lancaster, and published at Depew, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the Tuesday day of October, 1970, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_, and that not more than six days intervened between any two publications thereof.

in any two publications thereof.

*Richard S. Brunner*

Sworn to before me this 26<sup>th</sup> day of

October 7, 1970

Carol D. Beatty  
Notary Public in and for Erie County

**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, 1977

RICHARD G. BENNETT

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

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 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 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 \$25,000 each  
eight (8) Open Trucks at an estimated maximum cost of \$25,000 each  
one (1) Dempster-Dumpster Truck at an estimated maximum cost of \$7,500 each  
one (1) Tree Chipper at an estimated maximum cost of \$5,000

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 in the DEPEW HERALD AND CHEEKTOWAGA NEWS, a newspaper published and having a general circulation in said Town. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money or the provisions of law which should be complied with at the date of 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 Town

shall cause 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 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  
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 CERTIFY 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 ex-



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)

none has authorized for the use of the town or people 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, 30.01 and 36.00 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 removal of said notes and the power to prescribe the terms, forms 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 Financial Officer of the Town. The Town Supervisor is hereby authorized to sign any Serial Bonds issued pursuant to this

I, BENEDICT T. HOLTZ, Town Clerk of the Town hereinafter described, DO HEREBY CERTIFY 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 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.  
(SEAL)

BENEDICT T. HOLTZ  
Town Clerk

o-22

AYE

NAY

ABS

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 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 \$225,000.00, 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 consists of the 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 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 maxi-

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 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-

on 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 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	Voting AYE
Obstarczyk	Voting AYE
Halicki	Voting AYE
Wasielewski	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 described, DO HEREBY CERTIFY 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 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 } ss.

*Hardie 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 Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for *1* weeks;  
first publication *October 22, 1970*;  
last publication *October 22, 1970*;  
and that no more than six days intervened be-  
tween publications.

*Hardie C. Marong*

Sworn to before me this *26th*

day of *October*, 19*70*

*Glory Ann Krynski*

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

GLORY ANN KRYNSKI  
NOTARY PUBLIC STATE OF NEW YORK  
QUALIFIED IN ERIE COUNTY  
MY COMMISSION EXPIRES MARCH 30, 19*72*

Item No. 12  
adoption:

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 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) East side of Eileen Court from northeasterly line of subplot 98 to southwesterly line of subplot 230.

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

All on map cover 2224.

- b) East Cavalier Drive from French Road to Marrano Parkway (to and including subplot 37 on the east side and subplot 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 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 subplot 50, Map Cover 2229 on the east side of Penwood Drive and north lot line of subplot 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 subplot 140 on the north side and west lot line of subplot 139 on the south side to Fairelm Lane.
- l) 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 subplot 30, Map Cover 2229 on east side of Hillwood Drive and north lot line of subplot 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 subplot 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:	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 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

Item No. 12 cont'd

(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 (5 $\frac{1}{4}$ %) 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 (5 $\frac{1}{4}$ %) per annum.

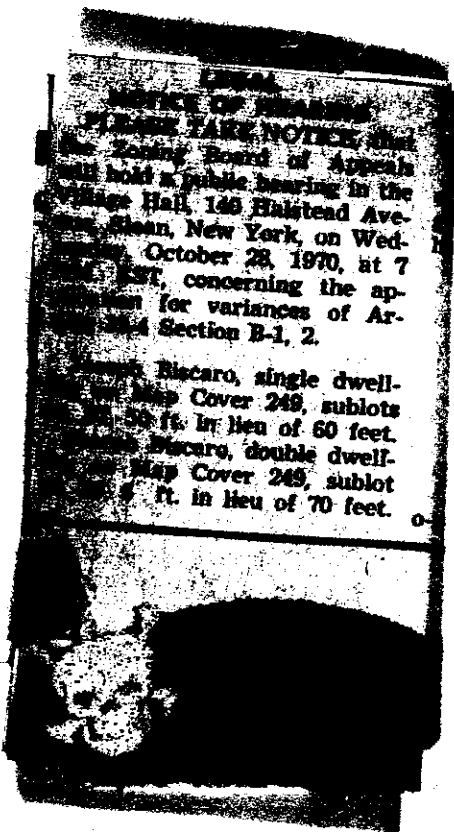
(6) The faith and credit of the Town of Cheektowaga are hereby pledged to the payment of said Capital Note and the interest thereon as the same become due and payable.

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:	0
ABSENT:	0

(Affidavit Next Page)

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



RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a newspaper with general circulation in the Towns of  
Cheektowaga and Lancaster, and published at Depew,  
New York, that notice of which the annexed printed  
slip taken from said newspaper, is a copy, was in-  
serted and published therein once a week for  
week, the first insertion being on the 22nd day  
of October, 1970, and the last inser-  
tion being on the \_\_\_\_\_ day of \_\_\_\_\_,  
19\_\_\_\_, and that not more than six days intervened  
between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this 12th day of

October, 1970

*Carol P. Bennett*

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, 1972

RICHARD G. BENNETT

**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 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 Notes is the purchase and installation of street lighting equipment pursuant to Section 11.00 of the Town Law of New York along the highways as hereinafter set forth, to serve the properties on both sides of the highways, to wit, the highways and portions thereof set forth in Schedule marked "A" hereto attached and made a part hereof.

**SCHEDULE A**

- a) East side of Eileen Court from northeasterly line of subplot 22 to southwesterly line of subplot 230
  - b) West side of Eileen Court from northeasterly line of subplot 33 to northeasterly line of subplot 43
  - c) All on Map Cover 2224.
  - d) East Cavalier Drive from French Road to Marrano Parkway (to and including subplot 37 on the east side and subplot 86 on the west side)
  - e) West Cavalier Drive and Marrano Parkway from French Road to in a southerly direction
  - f) West Cavalier and then easterly on Marrano Parkway to and including sublots 36 and 37
  - g) Pradine Drive from French Road to Mayberry Drive West
  - h) Fairelm Lane from Vern Lane to Sandy Lane
  - i) Joanne Lane from Vern Lane to Dennis Lane
  - j) Penwood Drive from Bronx Drive to north line of subplot 30, Map Cover 2229 on the east side of Penwood Drive and north lot line of subplot 31, Map Cover 2229 on the west side of Penwood Drive
  - k) Grand Prix Drive from French Road to Steven Drive
  - l) Caprice Drive from Grand Prix to Steven Drive
  - m) Sable Palm Drive from Village of Depew Boundary to Cranden
  - n) Sandy Lane from west lot line of subplot 140 on the north side and west lot line of subplot 139 on the south side
- elm

- o) Jordan Drive from French Road to end of street
- p) Ellsworth Drive from North Creek Drive to Joseph Street
- q) Danielle Drive from French Road to St. Joan Lane
- r) Hillwood Drive from Bronx Drive to north lot line of subplot 30, MC 2229 on east side of Hillwood Dr. and north lot line of subplot 11, MC 2229 on west side of Hillwood Drive
- s) Garden Village Drive from French Road southerly to a point 685 feet
- t) North Creek Drive from Dick Rd. westerly to west line of subplot 217, Cover 2164 (# 80 North Creek Drive)
- u) Zoerb Avenue from Nagel Drive east to Nantucket Drive West
- v) Cheekwood Drive from Birchwood Drive to Sprucewood Drive
- w) Samantha 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 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 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

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



RESOLVED 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 highway 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 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 unauthorized by the Constitution 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 northeasterly line of subplot 98 to southwesterly line of subplot 230

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

b) East Cavalier Drive from French Road to Marrano Parkway (to and including subplot 37 on the east side and subplot 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 to Sandy Lane

f) Joanne Lane from Vern Lane to Dennis Lane

g) Penwood Drive from Bronx Drive to north lot line of subplot

east side and subplot 36 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 35 and 37

d) Fradine Drive from French Road to Mayberry Drive West

e) Fairhelm Lane from Vern Lane to Sandy Lane

f) Joanne Lane from Vern Lane to Dennis Lane

g) Penwood Drive from Bronx Drive to north lot line of subplot 30, Map Cover 2229 on the east side of Penwood Drive and north lot line of subplot 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 French Road to Boundary to Cranston

k) Sandy Lane from west lot line of subplot 140 on the north side and west lot line of subplot 139 on the south side to Fairhelm

l) Kordan 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 subplot 30, MC 2229 on east side of Hillwood Dr. and north lot line of subplot 11, MC 2229 on west side of Hillwood Drive

p) Garden Village Drive from French Road southerly to a point 600 feet

q) North Creek Drive from Dick Dr. westerly to west line of subplot 30, 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

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.

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1..... weeks:

first publication.....Oct. 22, 1976.....;

last publication.....Oct. 22, 1976.....;

and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this 26th

day of October, 1976

*Glory Ann Kypinski*

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

NOTARY PUBLIC STATE OF NEW YORK  
QUALIFIED IN ERIE COUNTY

MY COMMISSION EXPIRES MARCH 30, 1977

Item No. 13  
adoption:

Councilman Wroblewski presented the following resolution and moved its

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 subplot 1 to and including subplot 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

7/15/70

Item No. 13 cont'd

southerly boundary of subplot 523.

- j) Bronx Drive from Brentwood Drive to Sprucewood Drive.
- k) North Seine from Towers Boulevard on the west to the easterly boundary of subplot 192 as shown on Map Cover 248; North Seine Drive from Towers Boulevard westerly to the northerly boundary of subplot 524 as shown on Map Cover 249.
- l) East Toulon Drive from Towers Boulevard to East Cherbourg Drive.
- m) South Creek Drive from west line of subplot 76 at corner of Jamaica Lane, Map Cover 2137 and then easterly to the east line of subplot 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 prescribe the terms, form and contents of said Capital Notes, subject to the provisions of this resolution, are hereby delegated to the Town Supervisor. Said Capital Notes shall be sold to 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.

7/15/70

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: 0  
ABSENT: 0

(Affidavit Attached)

NEW YORK  
ERIE

ss.:

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a newspaper with general circulation in the Towns of  
Cheektowaga and Lancaster, and published at Depew,  
New York, that notice of which the annexed printed  
slip taken from said newspaper, is a copy, was in-  
serted and published therein once a week for 1  
week, the first insertion being on the 22nd day  
of October, 1970, and the last inser-  
tion being on the \_\_\_\_\_ day of \_\_\_\_\_,  
19\_\_\_\_\_, and that not more than six days intervened  
between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this 26th day of

October, 1970

*Carol P. Bennett*

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, 1972

7/15/70

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)

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

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 11.00 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.

**SCHEDULE A**

- a) Little 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 2136, from and including subplot 1 to and including subplot 54
- h) West Cherbourg from North Seine Drive to Towers Boulevard
- i) West Toulon Drive from Towers Blvd. to North Seine Drive, ending at a southerly boundary of subplot 523
- j) Bronx Drive from Brentwood Drive to Sprucewood Drive
- k) North Seine from Towers Blvd. on the west to the easterly boundary of subplot 192 as shown

on MC 2011 North Seine Drive  
Towers Blvd. southerly to the  
northerly boundary of subplot  
524 as shown on Map Cover 249  
l) East Toulon Drive from Towers Blvd. to East Cherbourg Drive  
m) South Creek Drive from west line of subplot 76 at corner of Jamaica Lane, Map Cover 2137 and then easterly to the east line of subplot 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 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 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, PUR-  
SUANT TO THE LOCAL FINANCE  
LAW, TO FINANCE INSTALLA-  
TION 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 Cheekto-  
waga, in the County of Erie, shall  
issue its Capital Notes of the ag-  
gregate 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 "pur-  
pose") to be financed by the is-  
sue of such Capital Notes is the  
purchase and installation of street  
lighting equipment pursuant to Sec-  
tion 196 of the Town Law of New  
York, along the highways as here-  
inafter set forth, to serve the  
properties on both sides of said  
highways, to wit: the highways and  
portions thereof set forth in Sched-  
ule 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 author-  
ized to be applied to the payment  
of the cost of such purpose, and  
(c) the Town Board plans to fi-  
nance 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  
3 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 pub-  
lication 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.

#### 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 Mar-  
lene Drive to Creek View Drive
- e) Oakwood Drive from Birch-  
wood Drive to Sprucewood Drive
- f) Denise Drive from Towers  
Blvd. to North Seine Drive
- g) Lynnette Court, Map Cover  
2186, from and including subplot 1  
to and including subplot 54
- h) West Cherbourg from North  
Seine Drive to Towers Boulevard
- i) West Toulon Drive From  
Towers Blvd. to North Seine Drive,  
ending at a southerly boundary of  
subplot 523
- j) Bronx Drive from Brentwood  
Drive to Sprucewood Drive.
- k) North Seine from Towers  
Blvd. on the west to the easterly  
boundary of subplot 192 as shown  
on MC 248; North Seine from  
Towers Blvd. westerly to the north-

l) East Toulon Drive from  
Towers Blvd. to East Cherbourg  
Drive

m) South Creek Drive from west  
line of subplot 76 at corner of  
Jamaica Lane, Map Cover 2187  
and then easterly to the east line  
of subplot 34, Map Cover 2235,  
at corner of Nantucket Drive East

The capital note resolution pub-  
lished 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 ex-  
pend money, or if the provisions  
of law which should have been  
complied with as of the date of  
publication of this notice were  
not substantially complied with, and  
an action, suit or proceeding con-  
testing 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)

#23

#24

#25

#26

#27

#28

#29

#30

#31

#32



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: Wasielewski and Meyers  
ABSENT: 0  
0

(Affidavit Attached)

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for ...1... weeks:

first publication... *October 22, 1970*

last publication... *October 22, 1970;*

and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this *26th*

day of *October*, 19*70*

*Glory Ann Krynski*

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

GLORY ANN KRYNSKI

NOTARY PUBLIC STATE OF NEW YORK

QUALIFIED IN THE COUNTY

MY COMMISSION EXPIRES MARCH 30, 19*72*

7/15/70

Item No. 14  
adoption:

Councilman Wroblewski presented the following resolution and moved its

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; 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.

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

AYES:	Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki, and 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 notes authorized by said Capital Note resolution; now therefore be it

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 (5¼%) 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 prescribe the terms, form and contents of said Capital Notes, subject to the provisions of this resolution, are hereby delegated to the Town Supervisor. Said Capital Notes shall be sold to 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 (5¼%) 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:	0
ABSENT:	0

(Affidavit Next Page)

STATE OF NEW YORK  
COUNTY OF ERIE

SS.:

EXTRACT  
OF THE

At a special meeting of the Town Board of Cheektowaga, New York, held at the corner of E. Road in said town on the day of July, in their school's P.M., Easters simply for their Time, there was the lead in PRESENT: High School's Daniel E. W. The Mouse That Felix T. W. is setting valuable

Frank E. S. is the multi- Joseph E. C. Mr. and Mrs. blinger of Green- Donald A. Cheektowaga. He Raymond J. in radio and tele- for a career in

to Maryvale, he Counsellor opportunities to

to Maryvale, he Counsellor opportunities to

to Maryvale, he Counsellor opportunities to

to Maryvale, he Counsellor opportunities to

to Maryvale, he Counsellor opportunities to

RICHARD G. BENNETT

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

Depew Cheektowaga  
**Herald and News**

a newspaper with general circulation in the Towns of Cheektowaga and Lancaster, and published at Depew, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 22nd day of October, 1970, and the last insertion being on the day of 19, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this 26th day of

October, 1970

*Carol P. Bennett*

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, 1972

STATE OF NEW YORK  
COUNTY OF ERIE

York, along the highway as hereinafter described, the property on both sides of said highway, with the highways and persons thereof set forth in Schedule marked Schedule "A" hereto attached and made a part hereof.

**SCHEDULE A**

Highway Lane from Borden Road to Borden Road

Highway Drive from Cleveland Road south to Fontaine

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 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 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 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

o-22

**RESOLUTION**  
WHEREAS, the Town Board of the Town of Cheektowaga, in the County of Erie, has adopted the following resolution:

IT IS 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

RESOLVED BY THE TOWN BOARD  
IZING THE ISSUANCE OF  
\$4,361.61 CAPITAL NOTES OF  
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 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 if 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) 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.

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

Maidine 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 Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for ..... weeks;  
first publication Oct. 22, 1970.....;  
last publication Oct. 22, 1970.....;  
and that no more than six days intervened be-  
tween publications.

Maidine C. Marong

Sworn to before me this 26th.....

day of October....., 19 70

Glory Ann Krynski

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

GLORY ANN KRYNSKI  
NOTARY PUBLIC STATE OF NEW YORK  
QUALIFIED IN ERIE COUNTY  
COMMISSION EXPIRES MARCH 30, 19 72

Item No. 15  
adoption:

Councilman Wroblewski presented the following resolution and moved its

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) Fair Oaks Lane from Sandy Lane to Fair elm 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

adoption: 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 Series A of 1970." Said Capital Note shall consist of one note of the denomination 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 (5¼%) 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 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 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 (5¼%) per annum.

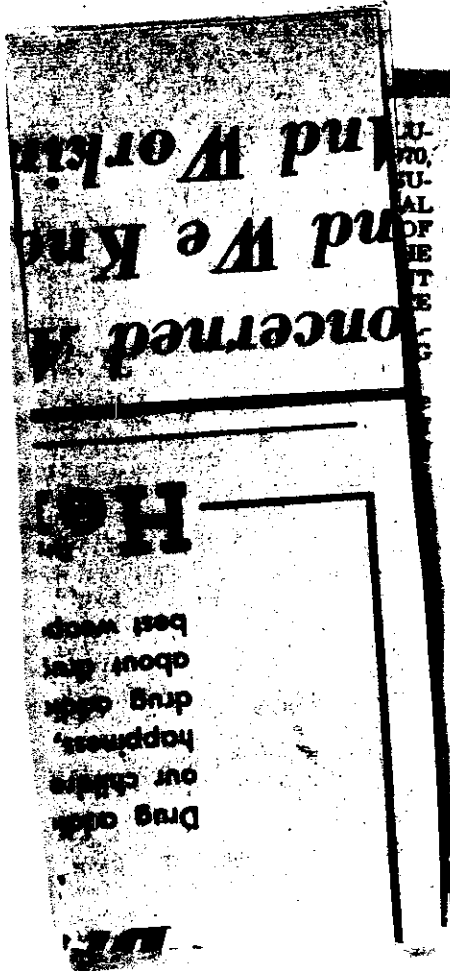
(6) The faith and credit of the Town of Cheektowaga are hereby pledged to the payment of said Capital Note and the interest thereon as the same become due and payable.

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:	0
ABSENT:	0

(Affidavit Next Page)

STATE OF NEW YORK }  
COUNTY OF ERIE } ss.



RICHARD G. BENNETT

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

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

a newspaper with general circulation in the Towns of  
Cheektowaga and Lancaster, and published at Depew,  
New York, that notice of which the annexed printed  
slip taken from said newspaper, is a copy, was in-  
serted and published therein once a week for 1  
week the first insertion being on the 22nd day  
of October, 1970, and the last inser-  
tion being on the \_\_\_\_\_ day of \_\_\_\_\_,  
19\_\_\_\_\_, and that not more than six days intervened  
between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this 26th day of

October, 1970.

*Carol P. Bennett*

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, 1972

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

**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 INSTALLATION OF LIGHTING STANDARDS.**

IT IS 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, does issue its Capital Notes 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 Notes is the purchase and installation of street lighting equipment pursuant to Section 11.00 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 "A" hereto attached and made a part hereof.

**SCHEDULE A**

a) Fairbairn Lane from Sandy Lane to Fairbairn 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) Path Road from Union Road to Lot 20, Map 483

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

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 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 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

STATE OF NEW YORK  
Subdivision 2 of Section 11 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 11 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 Note may be contested only if the 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 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

RESOLVED 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 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 and

Section 4. It is hereby determined that said purpose is an object or purpose described in Subdivision 35 of Paragraph 2 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 its adoption.

#### SCHEDULE A

- a) Fair Oaks Lane from Sandy Lane to Fairview 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

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

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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) Fair Oaks Lane from Sandy Lane to Fair elm 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

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 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 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.

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for ...1... weeks:

first publication October 22, 1970;

last publication October 22, 1970;

and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this 26<sup>th</sup>

day of October, 1970

Glory Ann Krynski

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

GLORY ANN KRYNSKI  
NOTARY PUBLIC STATE OF NEW YORK  
QUALIFIED IN ERIE COUNTY  
MY COMMISSION EXPIRES MARCH 31, 1972

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

BENEDICT T. HOLTZ  
Town Clerk

7/15/70

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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	Supervisor
	Felix T. Wroblewski	Councilman
	Joseph R. Obstarczyk	Councilman
	Donald A. Halicki	Councilman
	Raymond J. Wasielewski	Councilman
	Kenneth J. Meyers	Councilman
ABSENT:	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

<u>Name of Highway</u>	<u>From</u>	<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

<u>Name of Highway</u>	<u>From</u>	<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

Item No. 2 cont'd

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

<u>Name of Highway</u>	<u>From</u>	<u>To</u>
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 herein- after more particularly described.

PUBLIC HIGHWAY TO BE IMPROVED

7/20/70

Item No. 3 cont'd

<u>Name of Highway</u>	<u>From</u>	<u>To</u>
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  
Wasielowski 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

Item No. 7 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.

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## NOTICE TO BIDDERS

Information for bidders and specifications may be obtained from Chief of Police Benedict L. Kostrzewski at his office in said Police and Court Building.

**BENEDICT T. HOLTZ**

7/20/70

STATE OF NEW YORK }  
COUNTY OF ERIE } ss.

Sealed bids will be received 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 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. Kozlowski at his office in said 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  
Town Clerk  
Dated: July 21, 1970  
Published: July 23, 1970

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a newspaper with general circulation in the Towns of Cheektowaga and Lancaster, and published at Depew, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 23<sup>rd</sup> day of July, 1970, and the last insertion being on the day of 19, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this 27<sup>th</sup> day of

*July*, 1970  
*Carol P. Bennett*  
Notary Public in and for Erie County

CAROL P. BENNETT  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1972

Sealed proposals will be received 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 furnishing of Eight (8) 1971 - Chevrolet Four (4) Door Sedans (Bel Air) 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. Koszarski at his office in said 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,  
Town Clerk

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

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

first publication July 23, 1970 ;

last publication July 23, 1970 ;

and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this 24th

day of July, 1970

Glory Ann Krysinski

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

GLORY ANN KRYSINSKI  
NOTARY PUBLIC STATE OF NEW YORK  
QUALIFIED IN ERIE COUNTY  
MY COMMISSION EXPIRES MARCH 30, 1972

Item No. 15  
sewers.

Chester Bryan - award of bid for Television Inspection of sanitary

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: 0

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 News-  
paper 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 BIDDERS

SEALED PROPOSALS WILL  
BE 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" Galvaniz-  
ed Pipe.

Bids to be submitted in  
opaque envelopes plainly mark-  
ed: "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

jt23

UPON ROLL CALL....

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

NAYES: 0

ABSENT: Councilman Swiatek

(Affidavit on Next Page)

7/20/70



STATE OF NEW YORK }  
COUNTY OF ERIE } ss.

**NOTICE TO BIDDERS**  
**SEALING CONTRACTS WILL**  
BE 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" Galvaniz-  
ed Pipe.  
Bids to be submitted in  
opaque envelopes plainly mark-  
ed: "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  
2145 Union Road, Cheektowaga,  
New York.  
BENEDICT T. HOLTZ  
Town Clerk  
1973

RICHARD G. BENNETT

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

Depew Cheektowaga  
**Herald and News**

a newspaper with general circulation in the Towns of  
Cheektowaga and Lancaster, and published at Depew,  
New York, that notice of which the annexed printed  
slip taken from said newspaper, is a copy, was in-  
serted and published therein once a week for 1  
week, the first insertion being on the 23rd day  
of July, 1970, and the last inser-  
tion being on the day of  
19, and that not more than six days intervened  
between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this 22nd day of

July 1970  
*Carol P. Bennett*  
Notary Public in and for Erie County

CAROL P. BENNETT  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1972

**BIDDERS**  
**SEALED PROPOSALS WILL BE**  
**RECEIVED**, publicly read and con-  
sidered by the Town Board on the  
2nd day of August, 1970 at 2:30  
P.M., E.D.S.T., at the Town Hall,  
Broadway and Union Road, Cheek-  
towaga, New York for the furnish-  
ing 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 CHEEK-**  
**TOWAGA HIGHWAY DEPART-**  
**MENT."**

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

Information for bidders and spe-  
cifications 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  
Road, Cheektowaga, New York.

BENEDICT T. HOLTZ,  
Town Clerk

(123)

#24

#25

#26

#27

#28

#29

#30

#31

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for ...1... weeks:

first publication July 23, 1970;

last publication July 23, 1970;

and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this 24th

day of July, 1970

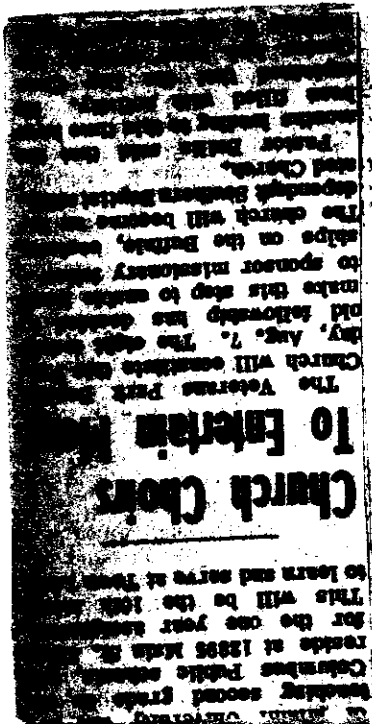
Glory Ann Kypinski

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

GLORY ANN KYPINSKI  
NOTARY PUBLIC IN AND FOR NEW YORK  
QUAL. 12  
MY COMMISSION EXPIRES 12

STATE OF NEW YORK  
COUNTY OF ERIE

ss.: }



RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a newspaper with general circulation in the Towns of  
Cheektowaga and Lancaster, and published at Depew,  
New York, that notice of which the annexed printed  
slip taken from said newspaper, is a copy, was in-  
serted and published therein once a week for 1  
week, the first insertion being on the 6th day  
of August, 1970, and the last inser-  
tion being on the \_\_\_\_\_ day of \_\_\_\_\_,  
19\_\_\_\_\_, and that not more than six days intervened  
between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this 10th day of

August 1970  
*Carol P. Bennett*

Notary Public in and for Erie County

CAROL P. BENNETT  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1971

Item No. 17  
as Town High

DRIVE and T  
and the Dep  
Clerk's Off

UPON ROLL C  
AYES:

NAYES:  
ABSENT:

Item No. 18  
Falls.

authorized  
Highways, I  
thru 18, 19

UPON ROLL C  
AYES:

NAYES:  
ABSENT:

Item No. 19

of Losson F

UPON ROLL C  
AYES:

NAYES:  
ABSENT:

Item No. 20

Item No. 2

Item No. 2

highway si  
hereinafter  
equipment  
on the 20th

Name of Hi

Janine Cou

7/20/70

STATE OF NEW YORK  
COUNTY OF ERIE

ss.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

THAT TRACT OR PAR-  
CELS OF LAND, situate in the  
County of Cheektowaga, New York,  
and State of New York,  
and of Lots numbered 52  
and 53, Township 22,  
Range 10 of the Buffalo Creek  
Municipal Water District, and  
more particularly  
described as follows:

Beginning at a point in  
the west line of Loosen Road  
about 100 feet westerly from  
the point of intersection of the  
center line of Loosen Road  
with the east line of said Lot  
No. 52; thence easterly along  
the center line of Loosen Road,  
about 737.23 feet; thence southerly  
parallel with the east line of said  
Lot No. 52, 435.60 feet; thence  
southerly parallel with the center  
line of Loosen Road, 400 feet to  
the east line of said Lot No. 52;  
thence southerly along the east  
line of said Lot No. 52 to the  
south line of said Lot No. 52,  
about 1522.62 feet; thence westerly  
along the southerly lines of said  
Lots Nos. 52 and 53, 1522.62 feet  
measured and 1526.31 feet meas-  
ured to a point in the south  
line of said Lot No. 53 distant  
about 100 feet easterly from the  
southwest corner of said Lot No.  
53 which point is also the south-  
west corner of lands conveyed to  
Peter Lortz by deed recorded in  
County Clerk's Office in  
Book 216 of Deeds at page 367;  
thence northerly parallel with  
the west line of said Lot No. 53  
and along the east line of lands  
conveyed to Peter Lortz by  
aforesaid deed, 1304.49 feet to  
a point distant 435.67 feet  
southerly in the said east line of  
Peter Lortz's land from the  
point of intersection of the cen-  
ter line of Loosen Road with the  
said east line of Peter Lortz's  
land; thence easterly parallel  
with the center line of Loosen  
Road, 737.23 feet to a point dis-  
tant 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  
northerly parallel to the east  
line of said Lot No. 52, 435.60  
feet to the point or place of begin-  
ning, containing 45.405 acres of  
land more or less.

At south side of Loosen Road,  
east of 1007 Loosen 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 oppor-  
tunity 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  
Councilman  
Edward J. Wasielewski

Item No. 17 Stanley  
as Town Highways.

Motion b

RESOLVED  
DRIVE and TOURS COURT a  
and the Deputy Town Att  
Clerk's Office.

UPON ROLL CALL....

AYES: Supervisor  
Wasielewski

NAYES: 0  
ABSENT: Councilm

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: Supervisor  
Wasielewski

NAYES: 0  
ABSENT: Councilm

Item No. 19 Rezoning

Motion b

RESOLVED  
of Loosen Road be held

UPON ROLL CALL....

AYES: Supervisor  
and Wasielewski

NAYES: 0  
ABSENT: Councilm

Item No. 20 Dr. Louis  
Received

Item No. 21 Supervisor

Item No. 22 Motion b

WHEREAS,  
highway situated in the  
hereinafter more partic  
equipment hereinafter  
on the 20th day of July

Name of Highway

Janine Court

7/20/70

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

now owner or owner conveyed to  
by deed recorded in  
County Clerk's Office in  
the volume of page 487  
northwesterly parallel with  
west line of said Lot No. 53  
along the east line of land  
conveyed to Peter Lortz by  
deed No. 1804-80 feet to  
the distant 435.87 feet  
to the said east line of  
Lortz's land from the  
intersection of the con-  
stant Lonsen Road with the  
east line of Peter Lortz's  
land, a line parallel  
to the center line of Lonsen  
Road 100 feet to a point dis-  
tance 435.87 feet southerly from  
the point of beginning in a line  
parallel to the east line  
of Lot No. 53 through said  
point of beginning; thence  
a line parallel to the east  
line of Lot No. 53, 435.87  
feet to a point of begin-  
ning containing 45.405 acres of  
land or less.

At south side of Lonsen Road,  
along of 1005 Lonsen Road and  
according to 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  
adversely affected will be given an oppor-  
tunity to be heard in regard to  
this proposed application.

ORDER OF THE TOWN

Daniel E. Weber  
Supervisor  
Felix T. Wroblewski  
Councilman  
Frank E. Swiatek  
Councilman  
Joseph R. Obstarczyk  
Councilman  
Donald A. Halich  
Councilman  
Raymond J. Wasielewski  
Councilman  
Kenneth J. Meyers  
Councilman  
BENEDICT T. HOLTZ  
Town Clerk

Item No. 17  
as Town Hig

DRIVE and T  
and the Dep  
Clerk's Off

UPON ROLL C  
AYES:

NAYES:  
ABSENT:

Item No. 18  
Falls.

authorized  
Highways, 1  
thru 18, 19

UPON ROLL C  
AYES:

NAYES:  
ABSENT:

Item No. 19

of Losson

UPON ROLL  
AYES:

NAYES:  
ABSENT:

Item No. 20

Item No. 21

Item No. 22

highway si  
hereinafte  
equipment  
on the 20

Name of Hi

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 DRIVE 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: 0  
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: 0  
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.  
NAYES: 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

<u>Name of Highway</u>	<u>From</u>	<u>To</u>
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.	

7/20/70

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  
Wasielowski, and Meyers.  
NAYES: 0  
ABSENT: Councilman Swiatek

(Affidavit on Next Page)

7/20/70



STATE OF NEW YORK }  
COUNTY OF ERIE } SS

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 24th day of July 1970,  
acting pursuant to an order and resolution adopted by the Town Board of said Town  
on July 20, 1970, I posted a certified copy of said  
order and resolution relating to street lighting on Janine Court,  
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 23, 1970.

BENEDICT T. HOLTZ,  
Town Clerk.

Sworn to before me this

24th day of July 1970  
Benedict T. Holtz

VIRGINIA JANORA  
Notary Public, State of New York

Notary Public, State of New York  
My Comm. Expires March 30, 1974

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

at the Depew Race Track, Depew, Cheektowaga, New York, on the 27th day of July, 1970, I, the undersigned, being duly sworn, depose and say that he is the

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a newspaper with general circulation in the Towns of Cheektowaga and Lancaster, and published at Depew, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 23rd day of July, 1970, and the last insertion being on the day of 1970, and that not more than six days intervened between any two publications thereof.

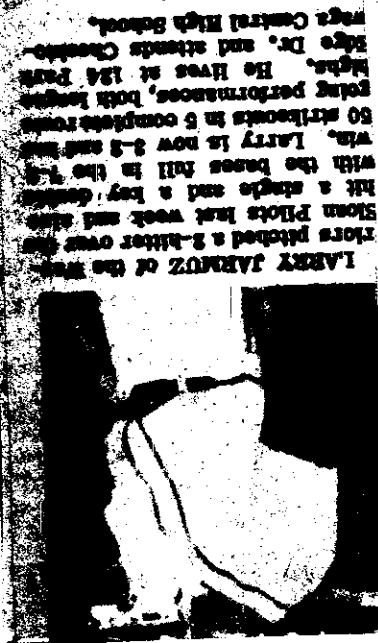
*Richard G. Bennett*

Sworn to before me this 27th day of

*July* 1970  
*Carol P. Bennett*

Notary Public in and for Erie County

CAROL P. BENNETT  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1972



RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

**NOTICE OF THE TOWN BOARD OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, 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, 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**

Item No. 22

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, more particularly, by the installation of street lighting equipment hereinafter more particularly described, was presented to the Town Board, on the 20th day of July, 1970;

**AND WHEREAS**, the said highway to be improved is located on Court from Denise Drive thence south, thence westerly, thence north to Denise Drive. Further described as 2248, SL 138 to 172 inclusive, plus 180 and 281.

**Type of Street Lighting Installation**

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

**WHEREAS**, Andrew H. Swank, Henry J. Janicki, and Charles 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 & 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,

Voting Aye

#24

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#32

STATE OF NEW YORK  
concerning the same, and  
IT IS FURTHER ORDERED  
that a copy of this order, cer-  
tified by the Town Clerk, be  
published at least once in the  
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,

Voting Aye

Councilman Obstarczyk,

Voting Aye

Councilman Halicki,

Voting Aye

Councilman 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 here-  
before 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  
July 20th, 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. 22 inclusive, of said  
book.

2. I have compared the at-  
tached extract with said min-  
utes so recorded and said ex-  
tract is a true copy of said min-  
utes 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 meet-  
ing 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  
21st day of July, 1970.  
BENEDICT T. HOLTZ,  
Town Clerk. ly23

#### 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 20th day of July, 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. Obstarczyk  
Councilman Donald A. Halicki  
Councilman Raymond J. Wasielewski

Councilman Kenneth J. Meyers  
ABSENT: 0

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

Janine Court; From and To: 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

WHEREAS Andrew H. Schwenk, Henry J. Janicki, and Casimir A. Kosminski, 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, 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

#### 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 hereinafter described, DO HEREBY CERTIFY as follows:

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on July 20th, 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. 22, inclusive, of said book.

#24

#25

#26

#27

#28

#29

#30

#31

#32

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

COUNCILMEN:

Meyers

Voting AYE

Wroblewski

Voting AYE

Swiatek

Voting AYE

Obetarszyk

Voting AYE

Halicki

Voting AYE

Wastelowski

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 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 July 20th, 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. 22, 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 21st day of July, 1970.

BENEDICT T. HOLTZ,  
Town Clerk

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

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

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

*Willard C. Allis*

Sworn to before me this *24th*

day of *July*, 19*70*

*Gloryanna Brysiniski*

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

GLOVE AND JEWELL  
 NOTARY PUBLIC STATE OF NEW YORK  
 QUALIFIED BY THE COURT  
 MY COMMISSION EXPIRES JANUARY 30, 19*72*

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

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

FROM	TO	AMOUNT
PARKS & PLAYGROUNDS	YOUTH AGENCIES	
03-115-013 Equipment Oprs.	03-120-014 Recreation Attend.	\$6,000.
03-115-012 Extra Laborers	03-120-014 " "	3,000.
03-115-014 Park Attendants	03-120-014 " "	1,000.
03-120-012 Spec. Events Supr.	03-120-014 " "	1,000.

UPON ROLL CALL....

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

NAYES: 0

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	TO	AMOUNT
03-265-017 Remodeling Town Hall	03-265-013 Salary of Laborers	\$3,000.
03-260-034 Window Cleaning	03-265-013 " " "	500.
03-050-035 Window Cleaning	03-265-013 " " "	500.
03-210-010 Salary of Mail Clerk	03-265-013 " " "	1,000.

UPON ROLL CALL....

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

NAYES: 0

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: 0

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	TO	AMOUNT
General	7286	7399	\$133,391.11
Special Districts	3231	3280	161,390.54
Highway	2472	2516	110,824.21

7/20/70



Item No. 26 cont'd

<u>FUND</u>	<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
Part Town	610	618	\$ 2,721.48
Trust & Agency	232	248	<u>35,064.97</u>
			\$443,392.31

UPON ROLL CALL....

AYES: Supervisor Weber, Councilmen Wroblewski, Obstarczyk, Halicki  
Wasielewski and Meyers.  
NAYES: 0  
ABSENT: Councilman Swiatek

Item No. 27 Motion by Councilman Meyers, Seconded by Councilman Obstarczyk

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.  
NAYES: 0  
ABSENT: Councilman Swiatek

7/20/70

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  
Wasielowski and Meyers.

NAYES: 0

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 Wasielowski  
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.

Item No. 3 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	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.

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 as follows:

AYES:	Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki, Wasielewski and Meyers
NAYS:	0
ABSENT:	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.

8/3/70

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----

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

NAYS: 0

ABSENT: 0

Item No. 14 Chester Bryan - request of Mr. Edward Kramer, to remove a sidewalk easement.  
Referred to the Town Attorney, John V. Rogowski.

Item No. 15 Stanley Bystrak - appointment to positions of Motor Equipment Operators 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:

James Piniowski, , Sloan, New York 14212  
Joseph M. Kornecki, Jr., , Cheektowaga, New York

Upon Roll Call----

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

NAYS: 0

ABSENT: 0

Item No. 16 Stanley Bystrak - recommendation for acceptance of Subdivision: Coates-worth Part #4.  
Referred to the Town Attorney, John V. Rogowski.

Item No. 17 Benedict Kostrzewski - creation of ten (10) positions of Patrolmen in 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: 0  
ABSENT: 0

Item No. 18 Councilman Meyer's Reports and Comments - flooding on George Urban Boulevard and Harlem Road.

Item No. 19 Supervisor Weber's Comments.

V. RESOLUTIONS

Item No. 20 Award of contract for dump site operation.  
Tabled until August 17, 1970.

Item No. 21 Motion by Councilman Wroblewski, seconded by Supervisor Weber----

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: 0  
ABSTAIN: Councilman Obstarczyk  
ABSENT: 0

Item No. 22 Motion by Councilman Wroblewski, seconded by Councilman Wasielewski----

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

8/3/70

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
Cheektowaga, New York 14225	SL 293
	on Kokomo Place
Tillo Lavanche	MC 962
Cheektowaga, New York 14225	SL 353
	On Kokomo Place
Mary Wanat	MC 527 Block D
Cheektowaga, New York 14225	SL 1
	On Wells Avenue
Anthony Zalenski	MC 527 Block K
Buffalo, New York 14206	SL 1
	On Vern Lane
Irving Smith	MC 527 Block E
Cheektowaga, New York 14225	SL 51
	On Vern Lane
Louis Rusiniak	Acreage on Bink Street
Cheektowaga, New York 14227	
Park Land #15	MC 2198
1112 Prudential Building	SL 205, 206, 207
Buffalo, New York 14202	On Fair Elm Lane
Michael L. Penna & W.	MC 733-976
Cheektowaga, New York 14225	SL Part of #54
	On Crandon Boulevard
John Greenauer & W.	MC 1843
Cheektowaga, New York 14225	SL 2
Douglas Braid & W.	MC 1843
Cheektowaga, New York 14227	SL 3
Glenn M. Wolfert & W.	MC 1843
Cheektowaga, New York 14227	SL 4
Edward Rosenberg & W.	MC 1843
Cheektowaga, New York 14227	SL 5
Kenneth G. Sisson	MC 1843
Cheektowaga, New York 14227	SL 6

Item No. 22 cont'd

Daniel L. Daruska & W.	MC 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: 0  
ABSENT: 0

Item No. 23 Motion by Councilman Halicki, seconded by Councilman Wroblewski----

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

<u>From Account Number</u>	<u>To Account Number</u>	<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

Item No. 24 Motion by Supervisor Weber, seconded by Councilman Wroblewski----

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 in-  
ure to the benefit of the surrounding area and would not be detrimental to the neigh-  
boring property owners; now therefore be it

8/3/70



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: 0  
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

Depew Cheektowaga  
**Herald and News**

a newspaper with general circulation in the Towns of Cheektowaga and Lancaster, and published at Depew, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 6th day of August, 1970, and the last insertion being on the day of 1970, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this 10th day of

*August* 1970  
*Carol P. Bennett*

Notary Public in and for Erie County

CAROL P. BENNETT  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1972

8/3/70

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: 0  
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

Supervisor of the Town of Cheektowaga, Erie County, New York, and a public hearing was held on the application of the petitioner for the rezoning of premises from R-Residence District to M1-Light Manufacturing District of the property hereinafter described and attached amendment of the Zoning Map and Ordinance accordingly, and

WHEREAS the Town Board of Cheektowaga has rendered its decision granting the application of the petitioner to rezone from R - Residence District to M1 - Light Manufacturing District the property hereinafter described, be it

RESOLVED, that the decision of the Town Board granting the application of the petitioner to rezone from R-Residence District to M1-Light Manufacturing District and the same is hereby confirmed, and be it

FURTHER RESOLVED by this Town Board that the Ordinance adopted December 27, 1969 and as now amended be and the same is hereby amended by changing the Zoning Map so as to change the following described property from that of R-

Residence District to M1 - Light Manufacturing District.

DESCRIPTION

300 Cayuga Road.  
Dated: August 4, 1970  
BENEDICT T. HOLTZ  
Town Clerk  
Town of Cheektowaga  
New York

au 6

**LEGAL NOTICE**

WHEREAS, the Town Board of the Town of Cheektowaga, Erie County, New York, held a public hearing for the purpose of considering the application of Norman J. Castine for the rezoning of premises from R-Residence District to M1-Light Manufacturing District of the property hereinafter described and directed amendment of the Zoning Map and Ordinance accordingly, and

WHEREAS, the Town Board of Cheektowaga has rendered its decision granting the application of the petitioner to rezone from R-Residence District to M1-Light Manufacturing District the property hereinafter described, be it

RESOLVED, that the decision of the Town Board granting the application of the petitioner to rezone from R-Residence Dist. to M1-Light Manufacturing Dist. be and the same is hereby confirmed, and be it

FURTHER RESOLVED by this Town Board that the Ordinance adopted December 27, 1969 and as now amended be and the same is hereby amended by changing the Zoning Map so as to change the following described property from that of R-Residence District to M1-Light Manufacturing District.

**DESCRIPTION**

680 Cayuga Road  
Benedict T. Holtz, Town Clerk  
Town of Cheektowaga,  
New York

Dated: August 4, 1970  
(26)

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: 0  
ABSENT: 0

(Affidavit Attached)

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

*Maudine 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 *August 6, 1970*; last publication *August 6, 1970*; and that no more than six days intervened between publications.

*Maudine C. Marong*

Sworn to before me this *10th*

day of *August*, 19 *70*

*Glory Ann Krynski*

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

GLORY ANN KRYNSKI  
NOTARY PUBLIC STATE OF NEW YORK  
QUALIFIED IN ERIE COUNTY  
MY COMMISSION EXPIRES MARCH 30, 19 *72*

8/3/70

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 south-east 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: 0

(Affidavit Next Page)

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

WHEREAS, the Town Board of the Town of Cheektowaga, Erie County, New York, held a public hearing for the purpose of considering the application of the Cheektowaga Town Board for the rezoning of premises from R -- Residence District to CM -- General Commercial District of the property hereinafter described and directed amendment of the Zoning Map and Ordinance accordingly, and

WHEREAS, the Town Board of Cheektowaga has rendered its decision granting the application of the petitioner to rezone from R -- Residence District to CM -- General Commercial District the property hereinafter described, be it

RESOLVED, that the decision of the Town Board granting the application of the petitioner to rezone from R -- Residence District to CM -- General Commercial District be and the same is hereby confirmed, and be it

FURTHER RESOLVED by this Town Board that the Ordinance adopted December 27, 1969 and as now amended be and the same is hereby amended by changing the Zoning Map so as to change the following described property from that of R -- Residence District to CM -- General Commercial District.

**DESCRIPTION**

Southeast corner of Harlem Road and Southern Parkway.  
Dated August 4, 1970

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a newspaper with general circulation in the Towns of Cheektowaga and Lancaster, and published at Depew, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 6th day of August, 1970, and the last insertion being on the        day of       , 19      , and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this 10th day of

August, 1970  
*Carol P. Bennett*

Notary Public in and for Erie County

CAROL P. BENNETT  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1972

STATE OF NEW YORK }  
COUNTY OF ERIE } ss.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

WHEREAS, the Town Board of Cheektowaga, New York, held a public hearing for the purpose of considering the application of the Cheektowaga Town Board for the rezoning of premises from R — Residence District to CM — General Commercial District of the property hereinafter described and directed amendment of the Zoning Map and Ordinance accordingly, and

WHEREAS, the Town Board of Cheektowaga has rendered its decision granting the application of the petitioner to rezone from R — Residence District to CM — General Commercial District the property hereinafter described, be it

RESOLVED, that the decision of the Town Board granting the application of the petitioner to rezone from R — Residence District to CM — General Commercial District be and the same is hereby confirmed, and be it

FURTHER RESOLVED by this Town Board that the Ordinance adopted December 27, 1969 and as now amended be and the same is hereby amended by changing the Zoning Map so as to change the following described property from that of R — Residence District to CM — General Commercial District.

DESCRIPTION

Southeast corner of Harlem Road and Southern Parkway.  
August 4, 1970

BENEDICT T. HOLTZ  
Town Clerk  
Town of Cheektowaga  
New York

on 6

WHEREAS, the Town Board of the Town of Cheektowaga, Erie County, New York, held a public hearing for the purpose of considering the application of the Cheektowaga Town Board for the rezoning of premises from R - Residence District to CM - General Commercial District of the property hereinafter described and effected amendment of the Zoning Map and Ordinance accordingly, and

WHEREAS, the Town Board of Cheektowaga has rendered its decision granting the application of the petitioner to rezone from R - Residence District to CM - General Commercial District the property hereinafter described, be it  
RESOLVED, that the decision of the Town Board granting the application of the petitioner to rezone from R - Residence Dist. to CM - General Commercial Dist. be and the same is hereby confirmed, and be it

FURTHER RESOLVED by this Town Board that the Ordinance adopted December 27, 1969 and as now amended be and the same is hereby amended by changing the Zoning Map so as to change the following described property from R - Residence District to CM - General Commercial District.

DESCRIPTION

Southeast corner of Harlem Road and Southern Parkway.

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

Dated: August 4, 1970

(s0)

#25

#26

#27

#28

#29



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

*Maureen C. Maroney*, of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
*Circulation Manager* of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for ..... weeks:  
first publication *August 6, 1970*;  
last publication *August 6, 1970*;  
and that no more than six days intervened be-  
tween publications.

*Maureen C. Maroney*  
Sworn to before me this *10th*  
day of *August*, 19 *70*  
*Glory Ann Krynski*  
Notary public in and for Erie County, N. Y.

GLORY ANN KRYNSKI  
NOTARY PUBLIC STATE OF NEW YORK  
QUALIFIED IN ERIE COUNTY  
MY COMMISSION EXPIRES MARCH 30, 19 *72*

Item No. 26 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 3rd day of August, 1970.

PUBLIC HIGHWAY TO BE IMPROVED

Name of Highway	From	To
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:	0

(Affidavit Next Page)

STATE OF NEW YORK

COUNTY OF ERIE

SS

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 7<sup>th</sup> day of August 1970, acting pursuant to an order and resolution adopted by the Town Board of said Town on August 3, 1970, I posted a certified copy of said order and resolution relating to street lighting on Frantzen Terrace, 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 August 6, 1970.

BENEDICT T. HOLTZ,  
Town Clerk.

Sworn to before me this

4<sup>th</sup> day of August, 1970.

Sheryl A. Nurmie

**NOTARY PUBLIC**  
State of New York  
My Commission Expires March 28, 1972

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a newspaper with general circulation in the Towns of  
Cheektowaga and Lancaster, and published at Depew,  
New York, that notice of which the annexed printed  
slip taken from said newspaper, is a copy, was in-  
serted and published therein once a week for 1  
week, the first insertion being on the 6<sup>th</sup> day  
of August, 1922, and the last inser-  
tion being on the 11<sup>th</sup> day of August,  
1922, and that not more than six days intervened  
between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this 10<sup>th</sup> day of

*August* 1922  
*Carol P. Bennett*

Notary Public in and for Erie County

CAROL P. BENNETT

NOTARY PUBLIC, STATE OF NEW YORK

Qualified in Erie County

My Commission Expires March 30, 1922

**Home Fire Protection**

Take time for this family responsibility. Chief Frank Caplan, Chairman of the Depew Fire Department Fire Prevention and Fire Safety Committee asks: What are you overlooking? Right now you may have a fire problem that can cause a family disaster! Better check upholstered chairs closely. Hot ashes from "smokers" can smolder slowly deep inside the stuffing, giving off deadly toxic gases. Have ashtrays where they are needed, the kind that are built into the furniture.

**Checkups:**

- 1. National Conference
- 2. Dog House Rest.
- 3. Wilkes Tavern
- 4. Benny Dyll's
- 5. Lancer Court
- 6. Salsburg Garage
- 7. Urban Inn
- 8. American Conference
- 9. Village Inn
- 10. Hillcott Manor
- 11. U-Crest Music Center
- 12. Eagles
- 13. St. Johns

**NOTICE OF HEARING**

**Street Lighting  
Frantzen Terrace**

**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 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**

**Item No. 26**

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 presented to this Town Board, on the 3rd day of August, 1970.

**Public Highway to be Improved**  
Frantzen Terrace from North side of Frantzen from east lot line of SL 39, MC 2221, west to west lot line of SL 60, MC 2221 to 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) 350 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. Schwank, 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 & 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,

Voting Aye

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

**PUBLISHER**

STATE OF NEW YORK

thereof concerning the same,  
and

IT IS FURTHER ORDERED  
that a copy of this order, cer-  
tified by the Town Clerk, be  
published at least once in the  
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,

Voting Aye

Councilman Obstarczyk,

Voting Aye

Councilman Halicki,

Voting Aye

Councilman 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 here-

inafter 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 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. 26 inclusive, of said  
book.

2. I have compared the at-  
tached extract with said min-  
utes so recorded and said ex-  
tract is a true copy of said min-  
utes 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 meet-  
ing 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.

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 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 Donal A. Halicki  
Councilman  
Raymond J. Wasielewski  
Councilman Kenneth J. Meyers  
ABSENT: 0

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

WHEREAS, a petition for the improvement of the

road leading from the Town of Cheektowaga, New York, more particularly set forth, by the installation of street lighting equipment hereinafter more particularly described, was presented to the Town Board on the 3rd day of August, 1970.

PUBLIC HIGHWAY  
TO BE IMPROVED

Name of Highway: Frantzen Ter-  
race; From: - To: North side of  
Frantzen from east lot line of SL  
MC 2221, west to west lot  
line of SL 60, MC 2221. South side  
of Frantzen from east lot line of  
SL 120, MC 2221, west to west  
lot line of SL 118, MC 2221.

TYPE OF STREET  
LIGHTING INSTALLATION  
Fourteen (14) 3350 lumen post  
type (Town & Country) mer-  
cury units. Estimated cost \$13.50  
per year for two years per 50  
foot lot.

WHEREAS Andrew H. Schwenk,  
and Casimir A. Kozminski, As-  
sessors of said Town of Cheektowaga,  
have certified in writing to the  
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  
width or bounds on both sides  
of said highway to be improved  
aforesaid, and

WHEREAS, the said highway to  
be improved as aforesaid is situ-  
ated 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 Un-  
ion Road, in said Town of Cheek-  
towaga, 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 sec-  
tion 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 Wro-  
blewski 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 hereinafter  
described, DO HEREBY CERTIFY  
as follows:

1. A regular meeting of the  
Town Board of the Town of Cheek-  
towaga, a town located in the County

Seconded by ~~Constance~~ 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 hereinafter described, DO HEREBY CERTIFY as follows:

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on August 3rd, 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. 26, inclusive, of said book.

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

3. Said minutes correctly state the time when said meeting was convened, the place where such meeting was held and the 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 4th day of August, 1970.

BENEDICT T. HOLTZ,  
Town Clerk

August 6, 1970



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

Maidine 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 Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for ..... weeks;  
first publication August 6, 1970;  
last publication August 6, 1970;  
and that no more than six days intervened be-  
tween publications.

Maidine C Marong

Sworn to before me this 10th

day of August, 1970.

Glory Ann Krynski

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

GLORY ANN KRYNSKI  
NOTARY PUBLIC STATE OF NEW YORK  
QUALIFIED IN ERIE COUNTY  
MY COMMISSION EXPIRES MARCH 30, 1972

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	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,

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:	0

(Affidavit Next Page)

STATE OF NEW YORK

COUNTY OF ERIE

SS

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 7th day of August, 1970, acting pursuant to an order and resolution adopted by the Town Board of said Town on August 3, 1970, I posted a certified copy of said order and resolution relating to street lighting on Arnold Lane, 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 August 6, 1970.

BENEDICT T. HOLTZ,  
Town Clerk.

Sworn to before me this

4th day of August, 1970.

Sheryl A. Numan

SHERYL A. NUMAN  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires March 28, 1972

FISHERY  
 ROAST BEEF SANDWICHES  
 CLAM CHOWDER NIGHTLY  
 LOU, JOANIE, MARSHALL  
 THURSDAY, 7:30 P.M.  
 — Variety Parade  
 Firemen's Parade  
 7:30 P.M.  
 Each Starting  
 6-7-8  
 DAY - SATURDAY  
 TWENTY  
 SPANYS  
 WTTA  
 4TH ANNUAL  
 Food, home grown tomatoes,  
 etc. and vegetables in season

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a newspaper with general circulation in the Towns of  
 Cheektowaga and Lancaster, and published at Depew,  
 New York, that notice of which the annexed printed  
 slip taken from said newspaper, is a copy, was in-  
 serted and published therein once a week for  
 week, the first insertion being on the 6<sup>th</sup> day  
 of August, 1920, and the last inser-  
 tion being on the \_\_\_\_\_ day of \_\_\_\_\_,  
 19\_\_\_\_, and that not more than six days intervened  
 between any two publications thereof.

*Richard G. Bennett*  
 \_\_\_\_\_

Sworn to before me this 10<sup>th</sup> day of

August, 1920  
*Carol P. Bennett*  
 \_\_\_\_\_

Notary Public in and for Erie County

CAROL P. BENNETT  
 NOTARY PUBLIC, STATE OF NEW YORK  
 Qualified in Erie County  
 My Commission Expires March 30, 1922

**NOTICE OF HEARING**  
**Street Lighting**  
**Armond Lane**  
**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 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**

**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 presented to this Town Board, on the 3rd day of August, 1970.

**Public Highway to be Improved**  
Armond Lane from the entire length of Armond Lane from Hudson Road, east to Sherry Lane, including that portion of Lobby Lane consisting of SL 22, 23, 34, 35, 36, & 37, MC 232.

**Type of Street Lighting Installation**

Ten (10) 3350 lumen electric street top type (Town & Country) mercury units. Estimated cost per year for two years \$15.00 per 50 foot lot.

WHEREAS, Andrew H. Schwank, and Casimir A. Kozminski, assessors of said Town of Cheektowaga, have certified a 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 & 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 Meyers, Voting Aye  
Councilman Wroblewski, Voting Aye  
Councilman Swiatek, Voting Aye

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

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 Meyers, Voting Aye  
Councilman Wroblewski, Voting Aye  
Councilman Swiatek, Voting Aye  
Councilman Obataczyk, Voting Aye  
Councilman Halicki, Voting Aye  
Councilman Wasielewski, Voting Aye  
YEAS: 7; NOES: 0; ABSENT: 0

State of New York )  
County of Erie )

I, BENEDICT T. HOLTZ, Town Clerk of the Town hereby do hereby certify as follows:

That 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 minutes of said meeting have been duly recorded in the Minute Book and are in accordance with the purpose of recording the minutes of meetings of said Board, and such minutes appear at Item No. 26 inclusive, of said book.

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

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

In Witness Whereof, I have hereunto set my hand and have hereunto (seal) affixed the corporate seal of said Town, this 4th day of August, 1970.  
BENEDICT T. HOLTZ,  
Town Clerk. au6

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 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

Item No. 77. Councilman Obstarczyk presented the following

Resolution of the Town Board of the Town of Cheektowaga, hereinafter referred to as the Town Board, to install street lighting in the Lighting District of the Town of Cheektowaga, hereinafter referred to as the Lighting District, the installation of street lighting in the Lighting District 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: Armond Lane;  
From: - To: The entire length of Armond Lane from Borden Road, west to Sherry Drive, including that portion of Bobby Lane consisting of lots 32, 33, 34, 35, 36, & 37, MC 2252.

TYPE OF STREET

LIGHTING INSTALLATION

1. Ten (10) 3350 lumen electric street lamp 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 was duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage of lots 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.

Seconded by Supervisor Weber 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 hereinafter described, DO HEREBY CERTIFY as follows:

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on August 3rd, 1970,

STATE OF NEW YORK

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.

Seconded by Supervisor Weber 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
Ralicki	Voting AYE
Waskelowski	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 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 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. 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 hereto set my hand and have hereto affixed the corporate seal of said Town, this 4th day of August, 1970.

(s) BENEDICT T. HOLTZ,  
Town Clerk



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

Maidie C. Mason, of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
Circulation Manager of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for ..... weeks:  
first publication August 6, 1970;  
last publication August 6, 1970;  
and that no more than six days intervened be-  
tween publications.

Maidie C. Mason

Sworn to before me this 10th

day of August, 1970

Glory Ann Kryszinski

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

GLORY ANN KRYSHINSKI

NOTARY PUBLIC STATE OF NEW YORK

QUALIFIED IN ERIE COUNTY

MY COM. EXPIRES MARCH 30, 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:

<u>FUND</u>	<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
General	7400	7505	\$175,219.32
Special Districts	3281	3303	99,554.23
Highway	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
			<u>\$491,580.39</u>

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. 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:

<u>FUND</u>	<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
General	7400	7505	\$175,219.32
Special Districts	3281	3303	99,554.23
Highway	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
			<u>\$491,580.39</u>

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 cont'd

Upon Roll Call----

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

NAYS: 0

ABSENT: 0

Item No. 31 Traffic Safety Commission - Minutes of July 21, 1970 Meeting.  
Received and filed.

VIRGINIA JANORA  
Deputy Town Clerk

8/3/70

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 Ressurrection 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

<u>Name of Highway</u>	<u>From</u>	<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.	

#### 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

<u>Name of Highway</u>	<u>From</u>	<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

Item No. 2 cont'd

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: 0  
ABSENT: 0

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

<u>Name of Highway</u>	<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. 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

<u>Name of Highway</u>	<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.

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: 0  
ABSENT: 0

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

Item No. 6 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....

AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk,  
Halicki and Wasielewski.  
NAYES: 0  
ABSENT: 0

Item No. 7 Anthony P. LoRusso, Attorney - request to obtain traffic light on Harlem Road.  
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 Petition from residents on Standard Pkwy., relative to flooding in basements.

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:

Tabled David Janus,  
Erect frame public garage

UPON ROLL CALL....

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

NAYES: 0

ABSENT: 0

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.

NAYES: 0

ABSENT: 0

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



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: 0  
ABSENT: 0

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 office located at the Cheektowaga Highway Department, 3145 Union Road, (near Broadway), 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: 0  
ABSENT: 0

(Affidavit on Next Page)

STATE OF NEW YORK  
COUNTY OF ERIE

ss.: }

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a newspaper with general circulation in the Towns of Cheektowaga and Lancaster, and published at Depew, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 20<sup>th</sup> day of August, 1970, and the last insertion being on the        day of       , 19      , and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

Information for bidders and specifications may be obtained from Stanley Bystrak, Superintendent of Highways, at his office located at the Cheektowaga Highway Department, 3145 Union Road, (near Broadway), Cheektowaga, New York.

BENEDICT T. HOLTZ  
Town Clerk

Dated: August 10, 1970  
Published: August 20, 1970

Sworn to before me this 24<sup>th</sup> day of

August, 1970

*Carol P. Bennett*

Notary Public in and for Erie County

CAROL P. BENNETT  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1972

## 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., A.D.T., September 8, 1970, for the furnishing of Two (2) New 1970 Pikes.

Information for bidders and specifications may be obtained from Stanley Systrak, Superintendent of Highways, at his office located at the Cheektowaga Highway Department, 3145 Union Road, (near Broadway), Cheektowaga, New York.

BENEDICT T. HOLTZ,  
Town Clerk

DATED: August 10, 1970.

PUBLISHED: August 20, 1970.  
(s20)

#26

#27

#28

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#30

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for ...1... weeks:

first publication... *Aug. 20, 1970* ;  
last publication... *Aug. 20, 1970* ;

and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this *21<sup>st</sup>*

day of *August*, 19*70*

*Glory Ann Krynski*

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

GLORY ANN KRYNSKI  
NOTARY PUBLIC STATE OF NEW YORK  
QUALIFIED IN ERIE COUNTY  
MY COMMISSION EXPIRES MARCH 30, 19*72*

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: 0

ABSENT: 0

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.

NAYES: 0

ABSENT: 0

Item No. 17 Henry Cwiklinski, Civil Defense - resignation of Angela Ognibene, 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.

NAYES: 0

ABSENT: 0

Item No. 18 Henry Cwiklinski, Civil Defense - appointment of Mrs. Pat Bater as Secretary.

Motion by Supervisor Weber, Seconded by Councilman Wasielewski

RESOLVED, that Mrs. Patricia Bater, Cheektowaga be appointed as Clerk-Typist Part Time in the Civil Defense Office effective August 13, 1970.

8/17/70

Item No. 18 cont'd

UPON ROLL CALL....

AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Meyers, Halicki, and Wasielewski.  
NAYES: 0  
ABSENT: 0

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.  
NAYES: 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

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 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  
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: 0

(Affidavit on Next Page)

8/17/70

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

Richard G. Bennett, of the Town of Cheektowaga, New York, at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Main 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 changing from R - Residence District to CM - General Commercial District of the property located at 385 Bennett Road, Cheektowaga, New York, and according to the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance 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  
Paul T. Wroblewski  
Councilman  
Frank E. Swiatek  
Councilman  
Joseph R. Ostarczyk  
Councilman  
Donald A. Halicki

RICHARD G. BENNETT

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

Depew Cheektowaga  
**Herald and News**

a newspaper with general circulation in the Towns of Cheektowaga and Lancaster, and published at Depew, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 20th day of August, 1970, and the last insertion being on the day of 1970, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this 24th day of

August 1970  
*Carol P. Bennett*

Notary Public in and for Erie County

CAROL P. BENNETT  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1972



STATE OF NEW YORK  
COUNTY OF ERIE

} ss.:

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

Richard G. Bennett, Publisher of the Cheektowaga News, a Public Hearing was held before the Town Board of the Town of Cheektowaga, 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 325 Bennett Road, Cheektowaga, New York, and amending the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York. A public hearing was held and all parties in interest and all persons who wish to be heard in regard to the proposed application.

IN ORDER OF THE TOWN BOARD:  
Daniel E. Weber  
Supervisor  
Felix T. Wroblewski  
Councilman  
Frank E. Swiatek  
Councilman  
Joseph R. Ostarczyk  
Councilman  
Donald A. Halicki  
Councilman  
Raymond J. Wasielewski  
Councilman  
Kenneth J. Meyers  
Councilman  
BENEDEKT T. HOLTZ  
Town Clerk

**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 28th day of September, 1970, at 8:00 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 situated at 385 Bennett Road, Cheektowaga, New York, and amending the Zoning Map and Ordinance accordingly, pursuant to Section 10-60 of the Zoning Ordinances of the Town of Cheektowaga, New York.

All parties in interest and concern will be given an opportunity to be heard in regard to such proposed application.

**BY ORDER OF THE TOWN BOARD**

Supervisor Daniel E. Weber  
Councilman Felix T. Wroblewski  
Councilman Frank E. Swiatek  
Councilman Joseph E. Obstar-  
czyk  
Councilman Donald A. Halicki  
Councilman Raymond J. Wasilewski  
Councilman Kenneth J. Meyers  
BENEDICT T. HOLTZ,  
Town Clerk

(s-20)

#26

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#30

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

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

first publication... *July 20, 1970* ...;

last publication... *July 20, 1970* ...;

and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this *21st*

day of *August*, 19*70*

*Glory Ann Krynski*

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

GLORY ANN KRYNSKI  
NOTARY PUBLIC STATE OF NEW YORK  
QUALIFIED IN ERIE COUNTY  
MY COMMISSION EXPIRES MARCH 30, 19*72*

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: 0

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.

**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 bids.

UPON ROLL CALL....

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

NAYES: 0

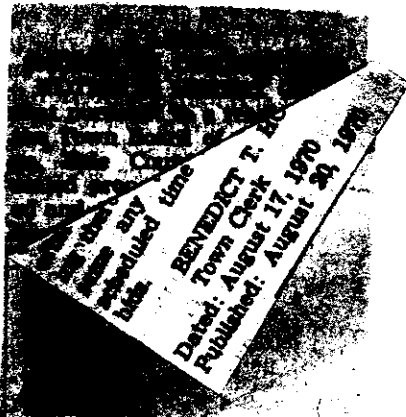
ABSENT: 0

(Affidavit on Next Page)

8/17/70

STATE OF NEW YORK  
COUNTY OF ERIE

ss.: }



RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

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

a newspaper with general circulation in the Towns of Cheektowaga and Lancaster, and published at Depew, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 20th day of August, 1970, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

this Tuesday day of

August, 1970

*Carol P. Bennett*

Notary Public in and for Erie County

CAROL P. BENNETT  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1972

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

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Depew Cheektowaga  
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a newspaper with general circulation in the Towns of  
Cheektowaga and Lancaster, and published at Depew,  
New York, that notice of which the annexed printed  
slip taken from said newspaper, is a copy, was in-  
serted and published therein once a week for 1  
week, the first insertion being on the 20th day

The Town Board of Cheektowaga, New York, County, New York, has received and considered by said Town Board on the 21st day of September, 1970, at 7:30 P.M., E.E. in the Town Hall, Broad and Union Road, Cheektowaga, New York for furnishing work, equipment, materials together with all labor for the construction of approximately 100 linear feet of 8 inch sewer pipe along Route 130 (Depew), in Sanitary Sewer District No. 3, Town of Cheektowaga, Erie County, New York, including manholes and other work in accordance with the attached Document thereon including plans, specifications, instructions to bidders, prepared by Numbauer & Associates, Inc., Consulting Engineers, 310 Delaware Avenue, Buffalo, New York 14202. A copy of said proposed documents may be obtained upon payment of \$50.00. Any bidder, upon returning said plans and 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 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 information, or to make an award to any bidder 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 bids.

BENEDICT T. HOLTZ  
Town Clerk  
Dated: August 17, 1970  
Published: August 20, 1970

**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 \$50.00. 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 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.

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for ...1... weeks:

first publication... *August 29, 1970* ;  
last publication... *August 20, 1970* ;  
and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this *21<sup>st</sup>*

day of *August*, 19*70*

*Gloria Ann Kupinski*

Notary public in and for Erie 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:             0  
ABSENT:            0

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:             0  
ABSENT:            0

Item No. 35      Motion by Supervisor Weber, Seconded by Councilman Halicki

                    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: 0  
ABSENT: 0

Item No. 36 Motion by Councilman Obstarczyk, Seconded by Councilman Swiatek

RESOLVED, 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: 0

Item No. 37 Motion by Councilman Halicki, Seconded by Councilman Wroblewski

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

<u>From Account Number</u>	<u>To Account Number</u>	<u>Amount</u>
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
03-065-034	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: 0  
ABSENT: 0

Item No. 38 Motion by Councilman Halicki, Seconded by Councilman Wroblewski

BE IT RESOLVED that the following transfer of funds from the Court Stenographer position to Contract Services in the Justice Department be approved:

<u>From</u>	<u>To</u>	<u>Amount</u>
03-005-014	03-005-033	\$3,434.38

8/17/70

Item No. 38 cont'd

UPON ROLL CALL....

AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk, Halicki, and Wasielewski.  
NAYES: 0  
ABSENT: 0

Item No. 39 Appointment of Thomas Kolbert  
Tabled by Councilman Swiatek and Councilman Meyers until the September 8, 1970 Meeting. The position of Court Clerk has to be created.

Item No. 40 Reappointment of Herb Warsitz to Traffic Safety Commission  
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:

<u>FUND</u>	<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
General	7506	7595	\$130,796.92
Special Districts	3304	3345	159,807.53
Highway	2535	2571	87,044.76
Part Town	627	634	1,861.26
Trust & Agency	253	253	<u>3,625.74</u>
			<u>\$383,136.21</u>

UPON ROLL CALL....

AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk, Halicki, and Wasielewski.  
NAYES: 0  
ABSENT: 0

Item No. 42 Motion by Councilman Obstarczyk, Seconded by Councilman Swiatek

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: 0

Item No. 43 Motion by Councilman Wroblewski, Seconded by Councilman Halicki

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

8/17/70

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 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 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 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: 0

ABSENT: 0

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 Incidental Piping connected therewith Capital Notes, Series C of 1970". Said Capital Notes shall consist of two notes of the denominations of \$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.

8/17/70

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 obligations 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 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.**

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 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 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

au20

**SS.:**

being duly sworn, deposes and says that he is the

of the

Depew

Check towage.

Richard S. Brunner

August 19 70

**Notary Public in and for Erie County**

**CAROL P. BENNETT**

**NOTARY PUBLIC, STATE OF NEW YORK**

**Qualified in Erie County**

My Commission Expires March 30, 1972



RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

NOTICE 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.

IT IS 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, to finance the specific purpose hereinafter stated.

Section 2. The specific purpose hereinafter referred to ("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 such 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 such 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 in 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 Constitu-

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.30 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 contestations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with as of the date of publication of this resolution were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution of New York.

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

The capital note resolution adopted herewith has been adopted on the 17th day of August, 1970, and the validity of the obligations authorized by said capital note resolution may hereafter be 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

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

#26

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**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, PUR-  
SUANT TO THE LOCAL FINANCE  
LAW, TO FINANCE CONSTRU-  
CTION OF SIDEWALKS IN THE  
TOWN OF CHEEKTOWAGA**

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

Section 1. The Town of Cheek-  
towaga, in the County of Erie,  
shall issue its Capital Notes of  
an 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 "pur-  
pose") to be financed by the  
issuance of such Capital Notes is  
construction of sidewalks and inci-  
dental piping in the Town of Cheek-  
towaga, 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 author-  
ized to be applied to the payment  
of the cost of such purpose, and  
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  
object or purpose described in  
Section 26 of Paragraph 2 of  
Article 11.00 of the Local Finance  
Law, and that the period of probable  
existence of said purpose is five  
years.

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

Section 6. This resolution shall  
be published in full by the Town  
Clerk of said Town, together with  
a notice in substantially the form  
prescribed by Section 81.00 of said  
Local Finance Law, and such pub-  
lication shall be in Cheektowaga  
Express, 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 substan-  
tially 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 pub-  
lished 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 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 author-  
ized 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 com-  
menced within twenty days after  
the date of publication of this  
notice; or such obligations were  
authorized in violation of the pro-  
visions of the Constitution of New  
York.

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

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

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

first publication August 20, 1970;  
last publication August 20, 1970;  
and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this 21st

day of August, 1970

Glory Ann Kupinski

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

NOTARY PUBLIC  
ERIE COUNTY, N. Y.  
72

Item No. 44 Acceptance of Coatesworthy Subdivision Part 4  
Tabled by Supervisor Weber and Councilman Wroblewski until the  
September 8, 1970 Meeting.

Item No. 45 Motion by Councilman Wroblewski, Seconded by Councilman Halicki

WHEREAS Edward Kramer and Arlene Kramer, owners of premises known  
as , 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 side-  
walk 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,  
Wasielwski and Meyers.

NAYES: 0

ABSENT: 0

Item No. 46 Improvement of portion of Roycroft Blvd.  
Referred to Town Attorney.

#### V. FROM THE TABLE

Item No. 47 Award of Contract for Dump Site Operation

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.

THIS AGREEMENT, made this       day of August, in the year One  
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.

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 forenoon. 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 bulldozers 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: 0

VI SUSPENSION OF RULES

Item No. 48 Payment of overtime to Myron Shisler, Engineering Department.

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.  
NAYES: 0  
ABSENT: 0

Item No. 49 Widening of Borden Road, Town of Cheektowaga.

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....

AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki Wasielewski and Meyers.  
NAYES: 0  
ABSENT: 0

8/17/70

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

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: 0

ABSENT: 0

Item No. 52 | Motion by Councilman Wroblewski, Seconded by Councilman Halicki  
to adjourn the Meeting.

Cheektowaga, New York  
September 8, 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 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 South Line Fire District No. 10 - request for two traffic signals on  
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.  
Motion by Councilman Wroblewski, seconded by Councilman Swiatek----

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----

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

NAYS: 0

ABSENT: 0

Item No. 7 Sloan Public Schools - communication to Mr. Stanley Bystrak, Highway  
Superintendent.  
Received and filed.

9/8/70



Item No. 8 Anthony P. LoRusso, Committeeman, District #84 - Towers Boulevard and Eiffel Estates.  
Referred to Councilman Obstarczyk.

Item No. 9 Summons & Complaint - Mary Jane and Charles W. Clark vs the Town of Cheektowaga.  
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 blk 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 Gary Hanley, Pool Manager - Projected Budget Cheektowaga Municipal Pool 1971.  
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.

Item No. 18 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: 0

ABSENT: 0

Item No. 19 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: 0

ABSENT: 0

Item No. 20 Dr. Louis A. Vendetti - request permission to attend Annual American Public Health Conference in Houston, Texas.  
Referred to the Town Board.

Item No. 21 Carl Trafalski - request permission to attend Building Officials Conference at Grossinger's.  
Referred to the Town Board.

Item No. 22 Chester Bryan - request permission to attend a conference in Dallas, Texas.  
Referred to the Town Board.

Item No. 23 Chester Bryan - replacement of force main sewer at Union Road Pumping 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 202B 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----

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

NAYS: 0

ABSENT: 0

9/8/70

Item No. 24

Benedict Kostrzewski - appointment of six patrolmen.

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----

AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk,  
Halicki and Wasielewski  
NAYS: 0  
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  
ABSENT: 0

Item No. 25

Benedict Kostrzewski - appointment of seven school guards.

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,	Cheektowaga, New York
Mary Letizia,	Cheektowaga, New York
Jean Cyrankowski,	, Cheektowaga, New York
Sandra Nagel,	, Cheektowaga, New York
Patricia Knox,	, Cheektowaga, New York
Elmer Petz,	, Cheektowaga, New York
Charlotte Damian,	, Cheektowaga, New York

Upon Roll Call----

AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Obstarczyk,  
Halicki and Wasielewski  
NAYS: 0  
ABSENT: 0

Item No. 26

Chester Bryan - regarding Dempster-Dumpster bid.  
Referred to the Town Attorney, John V. Rogowski.

Item No. 27

Raymond Matot - use of the Town Council Chamber for meetings.  
Referred to the Town Board.

Item No. 28

Councilman Obstarczyk's comments.

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

Item No. 28 cont'd

RESOLVED 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: 0  
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: 0  
ABSENT: 0

Item No. 32 Motion by Councilman Obstarczyk, seconded by Councilman Halicki----

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: 0  
ABSENT: 0

Item No. 33 Motion by Councilman Obstarczyk, seconded by Councilman Halicki----

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: 0  
ABSENT: 0

9/8/70

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:

1.) Marion Olejniczak,	Buffalo, New York 14211
2.) Irene Grzybowski,	Buffalo, New York 14211
3.) Lucy T. Szrama,	Cheektowaga, New York 14225
4.) Eugenia Massalski,	Buffalo, New York 14212
5.) Henrietta Marciniak.	Cheektowaga, New York 14225
6.) Eileen Nowak,	Cheektowaga, New York 14225
7.) Louise Tabone,	Depew, New York 14043
8.) Patricia Kubick,	Depew, New York 14043
9.) Florence Young,	Buffalo, New York 14206
10.) Ann Kierejewski.	Buffalo, New York 14206
11.) Freda Glim,	Buffalo, New York 14206
12.) Christine Czaja,	Cheektowaga, New York 14225
13.) Kathleen Petko,	Buffalo, New York 14215
14.) Frances Vesona,	Cheektowaga, New York 14225
15.) Alice Herrman,	Cheektowaga, New York 14225
16.) Edna Mae Klinshaw,	Cheektowaga, New York 14225
17.) Amelia Baumgartner,	Cheektowaga, New York 14225
18.) Josephine Nedescu,	Depew, New York 14043

Upon Roll Call----

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

NAYS: 0

ABSENT: 0

Item No. 35 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
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

9/8/70

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:	0
ABSENT:	0

(Affidavit Next Page)

9/8/70

-7-

STATE OF NEW YORK

COUNTY OF ERIE

SS

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 on September 8, 1970, I posted a certified copy of said order and resolution relating to street lighting on West Laver 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 10, 1970.

BENEDICT T. HOLTZ,  
Town Clerk.

Sworn to before me this

11th day of September, 1970.  
Sheryl A. Quinn

**NOTARY PUBLIC**  
My Commission Expires March 28, 1972

STATE OF NEW YORK  
COUNTY OF ERIE

SS.: }

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a newspaper with general circulation in the Towns of  
Cheektowaga and Lancaster, and published at Depew,  
New York, that notice of which the annexed printed  
slip taken from said newspaper, is a copy, was in-  
serted and published therein once a week for 1  
week, the first insertion being on the 10<sup>th</sup> day  
of September, 1970, and the last inser-  
tion being on the \_\_\_\_\_ day of \_\_\_\_\_,  
19\_\_\_\_\_, and that not more than six days intervened  
between any two publications thereof.

Richard G. Bennett

Sworn to before me this 14<sup>th</sup> day of

September, 1970

Carol P. Bennett

Notary Public in and for Erie County

CAROL P. BENNETT  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1972



RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

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:  
Daniel E. Weber, Supervisor  
John J. Wroblewski, Councilman  
Frank E. Swiatek, Councilman  
Joseph E. Ostarczyk, Councilman  
Joseph A. Halicki, Councilman  
Joseph J. Wasielewski, Councilman  
Joseph J. Meyers, Councilman

RESOLVED, that the following resolution be adopted:  
WHEREAS, a petition for the improvement of both sides of the highway situated in the Village of Cheektowaga, Erie County, New York, more particularly on the south side of the highway, has been presented to the Town Board, on the 8th day of September, 1970,

and WHEREAS, the proposed improvement of said highway is to be improved as follows: to widen the highway to 22 feet on both sides of the center line and the west side of the center line to 22 feet on each side of the center line;

and WHEREAS, the proposed improvement of said highway is to be improved as follows: to install (15) 3000 lumen electric street light poles and 1500 watt mercury units; Estimated cost per year for two years is \$100,000.00.

AND WHEREAS, Andrew H. Kozlowski and Casimir A. Kozlowski, assessors of said Town of Cheektowaga, have certified to this Board that the 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 of lands 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 of Cheektowaga, and is not within 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 2:30 o'clock p.m. Eastern Daylight Saving Time, to hear all persons interested in the subject matter 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 Wasielewski,

Voting Aye

Councilman Wroblewski,

Voting Aye

Councilman Swiatek,

Voting Aye

STATE OF NEW YORK  
COUNTY OF ERIE

ss.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

FURTHER ORDERED  
that a copy of this order, cer-  
tified by the Town Clerk, be  
published at least once in the  
Herald & Cheektowaga Times  
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  
meeting, and shall also be  
posted on the signboard of the  
Town maintained pursuant to  
section 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  
meeting.

Witnessed by Councilman  
Richard G. Bennett and duly put to a  
test which resulted as follows:

Richard G. Bennett  
Richard G. Bennett  
Richard G. Bennett

Richard G. Bennett  
Richard G. Bennett  
Richard G. Bennett

Richard G. Bennett  
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Richard G. Bennett  
Richard G. Bennett  
Richard G. Bennett

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. s10

## Legal Notice

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 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 Joseph R. Obstarczyk  
Councilman Donald A. Halicki  
Councilman Raymond J. Wasielewski  
Councilman Kenneth J. Meyers

**ABSENT:**  
Councilman Obstarczyk  
The following petition for the improvement of both sides of the highway situated in the Commercial District of the Town of Cheektowaga, hereinafter referred to as "the highway", was presented on the 8th day of September, 1970.

**RESOLVED:**  
That the Town Board of the Town of Cheektowaga do hereby order that the highway be improved as follows: [illegible]  
That the Town Board of the Town of Cheektowaga do hereby order that the highway be improved as follows: [illegible]  
That the Town Board of the Town of Cheektowaga do hereby order that the highway be improved as follows: [illegible]

**RESOLVED:**  
That the Town Board of the Town of Cheektowaga do hereby order that the highway be improved as follows: [illegible]  
That the Town Board of the Town of Cheektowaga do hereby order that the highway be improved as follows: [illegible]  
That the Town Board of the Town of Cheektowaga do hereby order that the highway be improved as follows: [illegible]

**RESOLVED:**  
That the Town Board of the Town of Cheektowaga do hereby order that the highway be improved as follows: [illegible]  
That the Town Board of the Town of Cheektowaga do hereby order that the highway be improved as follows: [illegible]  
That the Town Board of the Town of Cheektowaga do hereby order that the highway be improved as follows: [illegible]

**RESOLVED:**  
That the Town Board of the Town of Cheektowaga do hereby order that the highway be improved as follows: [illegible]  
That the Town Board of the Town of Cheektowaga do hereby order that the highway be improved as follows: [illegible]  
That the Town Board of the Town of Cheektowaga do hereby order that the highway be improved as follows: [illegible]

**RESOLVED:**  
That the Town Board of the Town of Cheektowaga do hereby order that the highway be improved as follows: [illegible]  
That the Town Board of the Town of Cheektowaga do hereby order that the highway be improved as follows: [illegible]  
That the Town Board of the Town of Cheektowaga do hereby order that the highway be improved as follows: [illegible]

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  
Obstarczyk Voting AYE  
Halicki 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 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 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 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 9th day of September, 1970.

BENEDICT T. HOLTZ,  
Town Clerk

(s10)

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

*Martine C. Trarong*, of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
*Circulation Manager* of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for 1 weeks;  
first publication Sept 10, 1970;  
last publication Sept 10, 1970;  
and that no more than six days intervened be-  
tween publications.

*Martine C. Trarong*  
Sworn to before me this 14th  
day of Sept, 1970.  
*Glory Ann Krynski*  
Notary public in and for Erie County, N. Y.

GLORY ANN KRYNSKI  
NOTARY PUBLIC STATE OF NEW YORK  
QUALIFIED IN ERIE COUNTY  
MY COMMISSION EXPIRES MARCH 30, 1972

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: 0

ABSENT: 0

(Affidavit Next Page)

9/8/70

STATE OF NEW YORK

COUNTY OF ERIE

SS

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 on September 8, 1970, I posted a certified copy of said order and resolution relating to street lighting on Birchwood 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 10, 1970.

BENEDICT T. HOLTZ,  
Town Clerk.

Sworn to before me this

11th day of September, 1970.

Sheryl A. Purrie

SHERYL A. PURRIE  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires March 28, 1972

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a newspaper with general circulation in the Towns of Cheektowaga and Lancaster, and published at Depew, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 10th day of September, 1970, and the last insertion being on the day of 19, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this 14th day of

*September 1970*  
*Carol P. Bennett*

Notary Public in and for Erie County

CAROL P. BENNETT

NOTARY PUBLIC, STATE OF NEW YORK

Qualified in Erie County

My Commission Expires March 30, 1972





STATE OF NEW YORK  
COUNTY OF ERIE

55.

WHEREFORE,

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 matter concerning the same.

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the Cheektowaga Herald & Cheektowaga Times and Cheektowaga Times, 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 meeting, and shall also be posted on the signboard of the Town maintained pursuant to Article 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 meeting.

Witness my hand and seal of office this 9th day of September, 1970, at Cheektowaga, New York.

Voting Aye  
Councilman Wasichowski  
Voting Aye  
Councilman Wasichowski  
Voting Aye  
Councilman Swiatek  
Voting Aye  
Councilman Ostrowsky  
Voting Aye  
Councilman Halka  
Voting Aye  
Councilman Meyer  
Voting Aye  
NOTES: 2. ABSENT: 0  
New York

BENEDICT T. HOLTZ  
Clerk of the Town here-  
under mentioned. DO HEREBY  
certify as follows:

That 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 8, 1970, and minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with the purpose of recording the minutes of meetings of said Board, and such minutes appear at item No. 36 inclusive, of said book.

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.

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. s10

## Legal Notice

### 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 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 Joseph R. Obstar-  
czyk  
Councilman Donald A. Halicki  
Councilman Raymond J. Wasie-  
lewski  
Councilman Kenneth J. Meyers

#### ABSENT:

At No. 36 Councilman Obstar-  
czyk presented the following reso-  
lution and moved its adoption:  
"Resolved, a petition for the  
improvement of both sides of the  
highway situated in the Con-  
servation Lighting District of the  
Town of Cheektowaga, hereinafter  
referred to as the highway, be  
granted and the street lighting  
thereon hereinafter more par-  
ticularly described, was presented  
to the Town Board on the 8th day  
of September, 1970.

#### IMPROVING HIGHWAY TO BE IMPROVED

Improvement of Highway Birchwood  
Road, from the corner of Broadway  
to the corner of Union Road, Brook-  
lyn, To: Conservation, Map  
No. 231.

#### TYPE OF IMPROVEMENTS BEING MADE

Resurfacing (14" thickness) ele-  
vated curb and gutter (Country)  
curb and gutter, drainage cost  
\$100 per year for two years per  
foot of curb and gutter.

WHEREAS Andrew H. Schwab  
and Vladimir A. Kozminski, As-  
sistants of said Town of Cheektowaga,  
have certified in writing to  
the Board that the above petition  
was duly signed and acknowledged  
in the same manner as a deed to  
be recorded by the owners of more  
than one-half of the entire frontage  
of parcels on both sides of said  
highway to be improved as afore-  
said, and

WHEREAS the said highway to  
be improved as aforesaid is sit-  
uated entirely in said Town outside  
of any incorporated village or city  
limits; 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 Day-  
light 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.

Seconded by Councilman Wro-  
blewski and duly put to a vote which  
resulted as follows:

#### SUPERVISOR:

Weber

Voting AYE

#### COUNCILMAN:

Wasielewski

Voting AYE

Wroblewski

Voting AYE

Swiatek

Voting AYE

Obstarczyk

Voting AYE

Halicki

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  
described, DO HEREBY CERTIFY  
as follows:

1: A regular meeting of the  
Town Board of the Town of Cheek-  
towaga, a town located in the County  
of Erie, State of New York, was  
duly 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. 25, inclusive, of said  
book.

2: I have compared the attached  
extract with said minutes as re-  
corded and said extract is a true  
copy of said minutes and of the  
whole thereof insofar as said min-  
utes relate to matters referred to  
in said extract.

3: Said minutes correctly state  
the time when said meeting was  
convened, the place where said  
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

(s10)

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

*Maudine C. Maroney*, of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
*Circulation Manager* of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for ..... weeks;  
first publication *Sept 10, 1970* .....;  
last publication *Sept 10, 1971* .....;  
and that no more than six days intervened be-  
tween publications.

*Maudine C. Maroney*

Sworn to before me this *14th* .....

day of *Sept* ....., 19 *70* .....

*Glory Ann Kryszewski*

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

GLORY ANN KRYSEWSKI  
NOTARY PUBLIC STATE OF NEW YORK  
QUALIFIED IN ERIE COUNTY  
MY COMMISSION EXPIRES MARCH 30, 19 *72*

Item No. 37 Motion by Councilman Swiatek, seconded by Councilman Meyers----

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	<u>To be named</u>	Beaverwood Drive
Michelle	<u>To be named</u>	Audet Drive
Tours Court	<u>To be named</u>	Lucerne Court

Upon Roll Call----

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

NAYS: 0

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: 0

ABSENT: 0

Item No. 39 Motion by Councilman Halicki, seconded by Councilman Wroblewski----

RESOLVED that the following transfer of funds in the General Fund be approved:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
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

ABSENT: 0

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

RESOLVED that the following old outstanding checks in the Special Districts account be voided:

10-20-67	#448	\$ 30.00
12-8-67	593	625.00
1-16-68	650	127.60

Upon Roll Call----

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

NAYS: 0

ABSENT: 0

Item No. 41 Motion by Councilman Halicki, seconded by Councilman Wroblewski----

9/8/70

Item No. 41 cont'd

RESOLVED that the following transfer of funds in the Part Town Fund be approved:

<u>From</u>	<u>To</u>	<u>Amount</u>
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:

<u>FUND</u>	<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
General	7596	7708	\$161,327.00
Special Districts	3346	3397	875,717.05
Highway	2572	2620	46,805.78
Part Town	635	647	4,321.01
Trust & Agency	254	255	14,039.73
Construction & Improvement Fund	244	245	18,627.31
			<u>\$1,120,837.88</u>

Upon Roll Call----

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

NAYS: 0

ABSENT: 0

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

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: 0  
ABSENT: 0

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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: 0  
ABSENT: 0

Item No. 49 Motion by Councilman Wasielewski, seconded by Councilman Swiatek to 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 parcel 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 and Wasielewski  
NAYES: Councilman Obstarczyk  
ABSENT: 0

Affidavit Next Page)

9/14/70

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a newspaper with general circulation in the Towns of Cheektowaga and Lancaster, and published at Depew, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 19th day of September, 1970, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_, and that not more than six days intervened between any two publications thereof.

Richard G. Bennett

Sworn to before me this 21st day of

September, 1970

Notary Public in and for Erie County

CAROL P. BENNETT

NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1972

Notice is hereby given that the Town Board of the Town of Cheektowaga, New York, has adopted and has filed same with the Town Clerk.

NOTICE IS ALSO GIVEN, that a Public Hearing on such matters and Assessment Rolls will be held October 1, 1970 at 7 P.M., Eastern Daylight Time, in the Council Chamber of the Cheektowaga 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.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, NEW YORK.  
BENEDICT T. HOLTZ  
Town Clerk  
September 14, 1970



**Legal Notice**

**PUBLIC NOTICE**  
NOTICE IS HEREBY GIVEN that the Town Board of Cheektowaga, New York has completed its Estimates and Assessment Rolls relating to Special Districts spreading costs on a Benefit Basis and has filed same with the Town Clerk.

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., Eastern Daylight Saving Time, in the Council Chamber of the Cheektowaga 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  
(s17)

#28

#29

#30

#31

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

*Maudine 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 Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper 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 be-  
tween publications.

*Maudine C. Marong*  
18th

Sworn to before me this .....

day of *Sept*....., 19 *70*.

*Glory Ann Krysincki*

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

GLORY ANN KRYSIŃSKI  
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

-2-

Cheektowaga, New York  
September 21, 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 21st day of September, 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. Wasielewski	Councilman

ABSENT: 0

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

<u>Name of Highway</u>	<u>From</u>	<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.

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 herein-  
after more particularly described.

## PUBLIC HIGHWAY TO BE IMPROVED

9/21/70

Item No. 3 cont'd

<u>Name of Highway</u>	<u>From</u>	<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: 0

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

<u>Name of Highway</u>	<u>From</u>	<u>To</u>
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 herein-  
after more particularly described.

PUBLIC HIGHWAY TO BE IMPROVED

<u>Name of Highway</u>	<u>From</u>	<u>To</u>
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

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,  
Wasielowski and Meyers.  
NAYES: 0  
ABSENT: 0

III GENERAL COMMUNICATIONS

Item No. 5 N.Y.S. Department of Transportation - Notice of Order - Signal 308.  
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

Item No. 7 Donald O. Summers, - building at 75 Armond Lane.  
Received and Filed

Item No. 8 Mrs. Helen E. Mayer, - suggestions regarding Cheek-  
towaga Judicial Department.  
Received and Filed

Item No. 9 Mrs. Angelo Monaco, - rezoning of corner of Towers  
Blvd. and French Road.  
Received and Filed

Item No. 10 Southline Homeowners Association, Inc. - Dartwood Drive Park Development.  
Received and Filed

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.

NAYES: 0

ABSENT: 0

#### IV. DEPARTMENTAL COMMUNICATIONS

Item No. 13 Motion by Councilman Wroblewski, Seconded by Councilman Swiatek

RESOLVED, that the Building Permist submitted on September 21, 1970 be approved with the following exceptions and stipulations:

Tabled: Richard Kawalerski  
" "  
" "  
" "

Consolidated Motor Inns, Walden Avenue

Denied: John Szott,  
David Janus,

UPON ROLL CALL....

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

NAYES: 0

ABSENT: 0

Item No. 14 Dr. Vendetti - August Report  
Received and Filed

Item No. 15 Benedict Kostrzewski - requests permission to attend International  
Association of Chiefs of Police Convention.  
Referred to Town Board

Item No. 16 J. Donald Griffin - resignation of Darlene Jones as Clerk-Typist  
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....

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

NAYES: 0

ABSENT: 0

9/21/70

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: 0

ABSENT: 0

Item No. 18 Stanley Bystrak - approach to Expressway cross-over on the West side of Union Road, 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. street name sign brackets
3 doz. dead end signs	3 doz. 10 ft. U-posts for dead end signs

UPON ROLL CALL....

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

NAYES: 0

ABSENT: 0

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 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: 0

Item No. 21 Cheektowaga Traffic Safety Commission - recommendations Received and Filed

Item No. 22 Councilman Swiatek's remarks - Acquisition of Eiffel Estates Park. Received and Filed

9/21/70



Item No. 23 Supervisor Weber's Comments

V. RESOLUTIONS

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

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.  
NAYES: 0  
ABSENT: 0

Item No. 25 Motion by Councilman Wasielewski, Seconded by Councilman Swiatek

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: 0  
ABSENT: 0

Item No. 26 Motion by Councilman Wroblewski, Seconded by Supervisor Weber

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: 0  
ABSENT: 0

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 21st day of September 1970.

PUBLIC HIGHWAY TO BE IMPROVED

<u>Name of Highway</u>	<u>From</u>	<u>To</u>
Jeffrey Drive	The entire street of Jeffrey Drive north from Losson Road	Joel Drive on the north. Map Cover 2255

9/21/70

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

SS

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 Jeffrey 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, 19 70  
Virginia Janora (Rutkowski)

VIRGINIA JANORA  
Notary Public, New York  
My Commission Expires March 24, 1974

**WRONG WITH**

**ERS**

CHURCH  
TOWN LINE LUTHERAN

Friday, at 4 p.m. there  
be a meeting of the Senior League  
Saturday at 9:30 a.m. the 7th  
8th grade confirmation class  
will meet followed by refreshments  
Sunday Pastor Meritt  
will preach at both the 8  
11 a.m. services. The  
School will begin at 9  
The adult class "Christian  
version about 8:30" will  
in the bowling alley. The  
League will begin with a  
in the evening beginning  
Lutheran supper at 6 follow  
Irving Holte's color slides  
commentary.  
Monday evening at 7:30 there  
will be a meeting of the  
Council. Men's bowling will be

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a newspaper with general circulation in the Towns of  
Cheektowaga and Lancaster, and published at Depew,  
New York, that notice of which the annexed printed  
slip taken from said newspaper, is a copy, was in-  
serted and published therein once a week for /  
week, the first insertion being on the 24th day  
of Sept, 1970, and the last inser-  
tion being on the \_\_\_\_\_ day of \_\_\_\_\_,  
19\_\_\_\_\_, and that not more than six days intervened  
between any two publications thereof.

Richard G. Bennett

Sworn to before me this 28th day of

Sept, 1970

Carol P. Bennett

Notary Public in and for Erie County

CAROL P. BENNETT  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1972

#29

#30

#31

#32

RICHARD G. BENNETT

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

Depew  
**Herald and News**  
Cheektowaga

**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:**

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

**ABSENT:** 0

**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 presented to this Town Board, on the 21st day of September, 1970.

**WHEREAS**, the said highway to be improved is Jeffrey Drive from the entire length of Jeffrey Drive north of Lesson Road to Joel Drive on the north. Map Cover 2255.

**Type of Street Lighting Installation**

Fourteen (14) 3350 lumen street post top type (Town & Country) mercury units. Estimated cost \$13.50 per year for two years per 50 foot lot.

**WHEREAS**, Andrew H. Schrak, and Casimir A. Kozlowski, 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 beside 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 8:30 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, Voting Aye

STATE OF NEW YORK

It is the order of the Town Board of Cheektowaga, New York, that a copy of this order, certified by the Town Clerk, be published at least once in the 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.

Recorded 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  
Councilman Ostarczyk, Voting Aye  
Councilman Halicki, Voting Aye  
Councilman Meyers, Voting Aye  
YES: 7; NOES: 0; ABSENT: 0  
(County of Erie )

BENEDICT T. HOLTE,  
Town Clerk of the Town here-  
by certified. DO HEREBY  
certify as follows:

At 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 the law for the purpose of recording the minutes of meetings of said Board, and such minutes appear in Town No. 27 inclusive, of said County.

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 and as said minutes relate to matters referred to in said extract.

I 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 22nd day of September, 1970.

BENEDICT T. HOLTE,  
Town Clerk. s24

RICHARD G. BENNETT

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

Depew Cheektowaga  
**Herald and News**

#29

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#32

## Legal Notice

### 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. Swiatek  
Councilman Joseph R. Obstarczyk  
Councilman Donald A. Halicki  
Councilman Raymond J. Wasielewski  
Councilman Kenneth J. Meyers

**ABSENT:**  
None

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 presented 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 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 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.

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

<b>SUPERVISOR:</b>	Voting AYE
Weber	
<b>COUNCILMAN:</b>	Voting AYE
Wasielewski	Voting AYE
Wroblewski	Voting AYE
Swiatek	Voting AYE
Obstarczyk	Voting AYE
Halicki	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 described, DO HEREBY CERTIFY as follows:

1. A regular meeting of the

town, 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. 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

(s24)

#29

#30

#31

#32

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

*Naidine 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 Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for ..... weeks:  
first publication *Sept. 24, 1970*;  
last publication *Sept. 24, 1972*;  
and that no more than six days intervened be-  
tween publications.

*Naidine C. Marong*  
Sworn to before me this *29th*  
day of *Sept*, 19*70*.  
*Glory Ann Krynski*  
Notary public in and for Erie County, N. Y.

GLORY ANN KRYNSKI  
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

<u>Name of Highway</u>	<u>From</u>	<u>To</u>
East Cherbourg Drive	Towers Blvd. easterly	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 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)

9/21/70

STATE OF NEW YORK

COUNTY OF ERIE

SS

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, 1970, acting pursuant to an order and resolution adopted by the Town Board of said Town on September 21st, 1970, I posted a certified copy of said order and resolution relating to street lighting on East Cherbourg 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, 1970.

BENEDICT T. HOLTZ,  
Town Clerk.

Sworn to before me this

25 day of September, 1970  
Virginia Janara (Rutkowski)

VIRGINIA JANARA  
Notary Public for New York  
My Commission Expires March 24, 1976


STATE OF NEW YORK  
COUNTY OF ERIE

ss.

**MARTHA RUZZ**  
Martha Ruzz-Grybowksi (nee  
Sobczak) of Lancaster died Sept.  
19, 1970, wife of Michael Ruzz.  
She was the mother of Robert  
Grybowksi, Mrs. Edward Ruzz.  
and six great-grandchildren.  
There are nine grandchildren.  
Adam and Mrs. Edward Ruzz,  
brother of Mrs. Grybowksi, the  
son of J. Peters. He was the  
ward Schmidt and a son, Mr.  
Aved by a daughter, Mrs. Ruzz.  
Besides his wife, he is survived  
by his mother, Mrs. Ruzz.  
Cometary.

**SAVINGS & LOAN**  
Now in New  
Lancaster  
Phone 22  
MA 52  
Other Branch  
700 100  
1520  
BANK

**6296 ENCLAVE**  
Lancaster  
Phone 22



**RICHARD G. BENNETT**

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

Depew Cheektowaga  
**Herald and News**

a newspaper with general circulation in the Towns of  
Cheektowaga and Lancaster, and published at Depew,  
New York, that notice of which the annexed printed  
slip taken from said newspaper, is a copy, was in-  
serted and published therein once a week for 1  
week, the first insertion being on the 24th day  
of Sept, 1970, and the last inser-  
tion being on the \_\_\_\_\_ day of \_\_\_\_\_,  
19\_\_\_\_\_, and that not more than six days intervened  
between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this 28th day of

Sept 1970  
*Carol P. Bennett*

Notary Public in and for Erie County

**CAROL P. BENNETT**  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 20, 1972

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**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:**

Daniel E. Weber, Supervisor  
Rafix T. Wroblewski, Councilman  
Frank E. Swiatek, Councilman  
Joseph R. Ostarczyk, Councilman  
Donald A. Halicki, Councilman  
Raymond J. Wasielewski, Councilman  
Joseph J. Meyers, Councilman

**ABSENT: 0**

**Item No. 28**

Councilman Ostarczyk presented the following resolution for 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 the Town Board, on the 21st day of September, 1970.

**WHEREAS**, the said highway to be improved is Cheektowaga Drive from Powers Boulevard 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) lumen electric post-top type Town & Country luminaire units. Estimated cost \$1,600 per year for two years on 30 foot lot.

**WHEREAS**, Andrew H. Kozlowski, and Casimir A. Kozlowski, 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 & 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, Voting Aye

**RICHARD G. BENNETT**

being duly sworn, deposes and says that he is the

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STATE OF NEW YORK  
COUNTY OF ERIE

SS.

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,

Voting Aye

Councilman Obstarczyk,

Voting Aye

Councilman Halicki,

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 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 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 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 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. 24

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

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(20) days before the date set hereon 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

Wroblewski Voting AYE

Swiatek Voting AYE

Obstarczyk Voting AYE

Halicki 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 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 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 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

(s24)

**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. Swiatek  
Councilman Joseph R. Obstarczyk

Councilman Donald A. Halicki  
Councilman Raymond J. Wasielewski

Councilman Kenneth J. Meyers

**ABSENT:**

None

Item No. 28. 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 presented to this Town Board on the 21st day of September, 1970.

**PUBLIC HIGHWAY TO BE  
IMPROVED**

Name of Highway: East Chertbourg Drive; From: Towers Boulevard easterly; To: east lot line of SL 253A, 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 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

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

Maureen 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 Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for 1 weeks:  
first publication Sept 24, 1970;  
last publication Sept 24, 1970;  
and that no more than six days intervened be-  
tween publications.

Maureen C. Marong

Sworn to before me this 29th

day of Sept. 1970

Glory Ann Krynski

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

GLORY ANN KRYNSKI  
NOTARY PUBLIC STATE OF NEW YORK  
QUALIFIED IN ERIE COUNTY  
COMMISSION EXPIRES MARCH 30, 1972

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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: 0

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 described 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



RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

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

a newspaper with general circulation in the Towns of Cheektowaga and Lancaster, and published at Depew, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 8th day of October, 1970, and the last insertion being on the        day of       , 19      , and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this 12th day of

October, 1970  
*Carol P. Bennett*

Notary Public in and for Erie County

CAROL P. BENNETT  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1972

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STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

that I, Richard G. Bennett, do hereby certify that the foregoing is a true and correct copy 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 19th day of October, 1970, at 7:00 o'clock P.M., Eastern Daylight Saving Time of said day, for the purpose of considering the application of John Tewey, for a Special Permit for a Used Car Sales lot on property located at 3117 Avenue Street, Cheektowaga, New York, pursuant to Section 6-011 and Section 6-012 of the Town Ordinance of the Town of Cheektowaga, New York.

All parties in interest and persons will be given an opportunity to be heard in regard to said proposed application.

BY ORDER OF THE TOWN BOARD

Daniel E. Weber

Supervisor

Felix T. Wroblewski

Councilman

Frank E. Swiatek

Councilman

Kenneth J. Meyers

Councilman

Joseph R. Obetarczyk

Councilman

Donald A. Halicki

Councilman

Raymond J. Wasielewski

Councilman

BENEDICT T. HOLTZ

Town Clerk

## Legal Notice

### 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 19th day of October 1970, at 7:00 o'clock P.M., Eastern Daylight Saving Time of said day for the purpose of considering the application of Stephen A. and Genevieve Fijalkowski for a Special Permit for a Used Car Sales Lot on property located at 1223 Walden Avenue, Cheektowaga, New York, pursuant to Section 6-2 and Section 6-012 of the Zoning Ordinance 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

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.  
Wasielowski  
BENEDICT T. HOLTZ,  
Town Clerk

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

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

first publication.....*Oct. 8, 1970*.....;

last publication.....*Oct. 8, 1970*.....;

and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this *13th*.....

day of *October*..... 19*70*.....

*Glory Ann Kypinski*

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

GLODY ANN KYPINSKI  
NOTARY PUBLIC STATE OF NEW YORK  
QUALIFIED IN ERIE COUNTY  
MY COMMISSION EXPIRES MARCH 30, 19*72*

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Item No. 31 cont'd

Road and the northerly right-of-way line of the Niagara Mohawk Power Corporation; thence easterly at an interior angle of 87° -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: 0  
ABSENT: 0

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:

<u>FUND</u>	<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
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: 0  
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: 0  
ABSENT: 0  
9/21/70

Item No. 38 Motion by Councilman Swiatek, Seconded by Councilman Halicki

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....

AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Obstarczyk, Halicki, Wasielewski and Meyers.  
NAYES: 0  
ABSENT: 0

Item No. 39 N.Y.S. Dept. of Transportation - methods of handling drainage.  
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, Obstarczyk, Halicki, Wasielewski and Meyers.  
NAYES: 0  
ABSENT: 0

Item No. 41 Motion by Councilman Wroblewski, Seconded by Councilman Swiatek

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: 0  
ABSENT: 0

Item No. 42 Motion by Councilman Swiatek, Seconded by Councilman Halicki

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: 0  
ABSENT: 0

9/21/70

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-

#29

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Cheektowaga, New York  
September 26, 1970

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: 0

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 objected 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.

NAYES: 0

ABSENT: 0

Item No. 3 Morris, Bray and DeSantis, Attorney-at-law, - recommendation  
of appointment of Thomas Kolbert as Court Clerk.  
Received and Filed

Item No. 4 Resolution calling for a special election establishing an equally  
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