

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 2nd day of July 1962, at 2:30 P.M., E.D.S.T., there were:

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

ABSENT:	Alancin M. Fath	Councilman
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Also present were: Town Clerk Hanley; Town Attorney Kitziner; Deputy Town Attorney Delahunt; Town Engineer Kamm; Assessors Schwenk and Building and Plumbing Inspector Trafalski.

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

Item No. 3 Referred to the Deputy Town Attorney communication from the Beverly Hills Association Inc., relating to a hazard at Cherokee Drive and Pinehurst Avenue. 10  
13

Item No. 4 Referred to the Chief of Polic communication and map from the New York State Traffic Commission relating to speed regulations on or along all County Roads in the Town of Cheektowaga except for those highways or portions of highways as specified in said communication. 8  
18  
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Item No. 5 Referred to the Petitions Committee communication from the Board of Education, Central School District No. 1, relating to a Town Library on the school site. 17  
46

Item No. 6 Accepted the resignation of Bonnie M. Gorlewski Accounting-Clerk-Typist in the office of the Receiver of Taxes and assessments. 31

Item No. 7 Received and filed communication from the Department of Audit and Control approving the application of the Town Board of permission to establish Bellevue Fire District No. 9. 8  
22

Item No. 8 Moved by Councilman Wroblewski, seconded by Councilman Trojanoski, that the application of the Aero Drive in Theatre to have a display of fireworks on July 3, 1962, at approximately 10 P.M., be approved. 42

CARRIED: AYES: -6- ABSENT: -1-

Item No. 9 This being the time and place advertised for a public hearing on the proposed improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor, such proof was duly filed.

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
Aurora Drive	Harlem Road	ruming in a westerly distance 1842 feet to house No. 189 on Aurora Drive

Item No. 9-Cont'd

TYPE OF STREET LIGHTING INSTALLATION

9 Y 19 standards - 100 watt mercury - under ground conduit

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

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

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

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
Aurora Drive	Harlem, Road,	running in a westerly distance 1842 feet to house No. 189 on Aurora Drive.

TYPE OF STREET LIGHTING INSTALLATION

9 Y 19 standards - 100 watt mercury - under ground conduit.

and heard all persons interested in the subject thereof.

NOW, THEREFORE, BE IT RESOLVED, that this Town Board does hereby decide at such public hearing and upon the evidence given thereat, (a) that such petition is signed and acknowledged as required by law and is otherwise sufficient, and (b) that it is in the public interest to grant in whole the relief sought, by the installations of street lighting equipment hereinabove particularly described along said streets, and

BE IT FURTHER RESOLVED that such petition is hereby approved and the installation of such street lighting equipment along said highways is hereby authorized, and that the Supervisor and the Town Attorney are hereby authorized and directed to have the installation of said street lighting equipment made by the utility company supplying electrical service to the locality in which the said public highways are located, under such contracts as may be required to effectuate such installation and as approved by the said Town Attorney, and

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

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

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

AYES: -6-

NOES: -0-

ABSENT: -1-

17  
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17

Item No. 10 Moved by Councilman Bystrak, seconded by Councilman Wroblewski, that the Supervisor be authorized and directed to purchase nine (9) Y 19 street lighting standards to be used in Aurora Drive special street light district.

CARRIED: AYES: -6- ABSENT: -1-

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

WHEREAS, bids were received and publicly opened at a meeting of this Board held on June 18, 1962, for the purchase of Snow Plows and Wings, Dump Trucks, and Roller, Pursuant to advertisement therefor, and

WHEREAS, the same were referred to the Superintendent of Highways for analysis, tabulation and report, and

WHEREAS, there is hereto attached such analysis, tabulation and report, and the Superintendent of Highways recommends the purchase of the Snow Plows and Wings from James Hanna, at the bid price of \$10,655.00, and the Dump Trucks from Maier-Schule GMC Inc. at the Bid price of \$23,125.21, and that all Roller bids be rejected; NOW, THEREFORE,

BE IT RESOLVED, that the purchase of Snow Plows and Wings be made from James Hanna at the bid price of \$10,655.00, and the Dump Trucks from Maier-Schule GMC Inc. at the bid price of \$23,125.21, they being the lowest responsible bidders whose bids met the specifications, and that all bids for Roller be rejected.

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

CARRIED: AYES: -6- ABSENT: -1-

SNOW PLOW AND WING BIDS

Potts Equipment	-\$12,000.00	Frink Model 425-9 One Way Snow Plow 10 Ft. Leveling Wing
Eddy Equipment	-\$ 4,424.00 Single Bid	1 Wausau Model TB 3256 - One Way Trip Plow 1 Wausau Model W 10 - 10 Right Hand Wing
James Hanna	-\$10,655.00	3 - Viking 120 HS 9 - 1 Way Safety Trip Blade Plows 3 - Viking Model 120 HS - 9' Clearing Width

DUMP TRUCK BIDS  
Per Unit

			<u>3 Units</u>
Lorber Reo Sales Ser.	\$8,397.00		\$25,191.00
		Allowance	1,025.00
			<u>\$24,166.00</u>
Squire Ford, Inc.	\$7,935.00		\$23,805.90
		Allowance	1,321.00
			<u>\$22,484.00</u>
International	\$10,428.00		\$31,284.00
		Allowance	10,446.51
			<u>\$20,837.49</u>
L. B. Smith Motor Corp.	\$7,822.30		\$23,466.90
		Allowance	900.00
			<u>\$22,566.90</u>
Maier-Schule GMC Inc.			\$23,125.21

Item No. 11-Cont'd

ROLLER BIDS

<u>Bidder</u>	<u>8 - 10 Ton Roller Tandem</u>	<u>3 wheel Heavy Duty Roller</u>
T.E. Potts (Huber-Warco) less:	\$ 8,640.00 640.00 <u>\$ 8,000.00</u>	
Dow & Co. less:	\$ 8,655.00 2,177.00 <u>\$ 6,478.00</u>	\$ 11,951.00 3,633.00 <u>\$ 8,318.00</u> (10-12 Ton)
Dow & Co.		\$12,694.00 3,633.00 <u>\$ 9,041.00</u> (12-14 ton)
Syracuse Supply Inc. (Buffalo Springfield) less:	\$10,250.00 1,553.00 <u>\$ 8,697.00</u>	\$ 15,580.00 2,350.00 <u>\$ 13,230.00</u> (10-14 Ton)
Cameron Equip. Co. (Ingram)	\$ 6,900.00	\$ 10,789.00 (14 ton) Ingram
Mc Cormick Tractor (new Ferguson) less:	\$ 8,675.00 1,200.00 <u>\$ 7,475.00</u>	

FORD - 2 BIDS MODEL F 850

<u>Specifications</u>	<u>Bid asked for</u>	<u>Squire Ford 1501 Kensington</u>	<u>L.B. Smith 1212 Abbott Rd.</u>
G.V.W	30,000	27,000	30,000 Sales folder attached shows maximum optional 27,000
Engine	V 6	V 8	V8
Torque	377 @ 1400	343 @ 2000	343 @ 2000
Governor	Positive Hydraulic	Velocity	Velocity
Clutch	14 inch (Single plate)	13 in. (Dual plate)	13 in. (Dual Plate)
Rear Spring	13,500 total each	13,000 total each	13,000 total each
Frame	10 1/16 x 3 1/2 x 5/16 with reinforcement Total section Modulus 23.18	9.76 X 3 1/2 X .28 with reinforcement Total Sec. Mod. 21.75	9.76 X 3 1/2 X.28 with reinforcement Total Sec. Mod.21.75
Electrical	Engine Alarm-visable & audible Air, oil & Water warning system	Not shown Believe air only.	No detail Believe air only.
	Electric w/s wipers	Air w/swipers	Air w/s wipers
Body	Complete details requested 8 gauge floor front etc.	Not Shown	Galion Model 12N3 No specs shown but general specs show 10

Item No. 11-Cont'd

gauge also 6"  
less width  
inside.

INTERNATIONAL BID  
MODEL R 194

<u>Specifications</u>	<u>Bids Asked for</u>	<u>Bids Furnishing</u>
Engine	V-6	Straight 6
Horsepower	210	182
Governor	Positive Hydraulic	Vacuum Mechanical
Clutch	14" 214" sq. in. Hydraulic Actuation	14" 201.86 sq. in. Mechanical Actuation
Rear Springs	Vari rate type with radius rod leaf 11,500 each plus helper of 2,000 ea. Total 13,500 ea.	Standard type rear springs with helpers Total 11,980 ea. *No. radius rod leaf
Frame	10 1/16 x 3 1/2 x 5/16 with reinforcement Total section Modulus 23.18	9 x 3 1/2 x 1/4 with rein- forcement Total sec- tion Modulus 18.85
Transmission	5 Speed Syncromesh for easier shifting	5 Speed Constant mesh- harder shifting with more clutch action
Cooling	Tube & Fin pressurized capacity 37 qts.	No spec. indicated
Brakes - Air	Front 15 X 3 1/2 220 sq. in. Rear 16 1/2 X 6 418 sq. in. Total Area 638 sq. in.	Front 16 x 2 1/4 * Rear 16 1/2 x 6 Total Area 561.5 sq.in.
Electrical	H.D. 70 amp 12 volt battery- Engine alarm-visable & audible air, oil and water warning sys- tem. Dual Electric w/s wipers	Dual 6 volt batteries Not indicated - be- lieve air only  Dual Air w/s wipers
Body	Complete details requested	Show only 9' X 7' dump body flaps & painted No detail

Item No. 12 Councilman Wroblewski presented the following resolution and moved its adoption:  
 WHEREAS, the Highway Superintendent has advised this Town Board that he has inspected the following highways and find that they meet the specifications set forth by the Town of Cheektowaga:

Lou Ann Drive beginning at the northerly line of the Village of Depew and running north for a distance of 2004.80 feet and then easterly along the southerly line of Lou Ann Drive 239.21 feet;  
 Banko Drive from this point running south 2017.07 feet to the northerly line of the Village of Depew as fully described in deed filed in the office of the Highway Department;  
 Lydia Lane, the last part which runs easterly 387.86 feet from the Niagara Mohawk Power Corporation land.

Item No. 12-Cont'd

Crandon Boulevard, formerly East Sobieski which begins at a point 30 feet east of the easterly line of lands of the Niagara Mohawk Power Corporation running easterly 86.60 feet.

Airport Avenue beginning from Banko Drive easterly 112.85 feet.

RESOLVED, that this Town Board does hereby accept as Town Highways the hereinabove mentioned highways and that the same are to be maintained by the Highway Department of the Town of Cheektowaga.

Seconded by Councilman Trojanoski.

CARRIED: AYES: -6- ABSENT: -1- 13

Item No. 13 Moved by Councilman Wroblewski, seconded by Councilman Kornecki, that the Highway Superintendent be authorized and directed to attend a school for highway superintendents at Ithaca, New York on July 9th, 10th and 11th, 1962, and that his reasonable expenses be a proper town charge,

FURTHER RESOLVED, that the Town Clerk be authorized and directed to attend a school for town clerk's at Ithaca, New York on July 9th, 10th, and 11th, 1962, and that his reasonable expenses be a proper town charge.

CARRIED: AYES: -6- ABSENT: -1- 13

Item No. 14 Moved by Councilman Wroblewski, seconded by Councilman Trojanoski, that the sub-division map of Bel-Aire Estates No. 2 prepared by Charles E. Hartke, Licensed Land Surveyor, by approval and that a copy of same be filed in the Office of the Board of Assessors.

CARRIED: AYES: -6- ABSENT: -1- 13

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

WHEREAS, emergency sewer repairs were required on 11 Rowland Street and Winston Avenue, both in Sanitary Sewer District No. 5, which repairs were ordered by the Town Engineer, and

WHEREAS, the cost of the work and materials amounted to \$267.45 (Rowland), and \$875.01 (Winston).

BE IT RESOLVED, that the vouchers of Straco, Inc. in the amounts of \$267.45 and \$875.01 to do the work and furnish the materials be approved and ordered paid.

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

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

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

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

CAPITAL NOTE RESOLUTION, DATED JULY 2, 1962, AUTHORIZING THE ISSUANCE OF \$33,780.21 CAPITAL NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE AQUISITION OF HIGHWAY MACHINERY.

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

Item No. 16-Cont'd

Section 1. The Town of Cheektowaga, in the County of Erie, shall issue its Capital Notes of the aggregate principal amount of \$33,780.21 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 a "purpose") to be financed by the issuance of such Capital Notes is the acquisition of machinery or apparatus for highway construction or maintenance, and consists of three (3) Dump Trucks at a maximum cost of \$23,125.21 and trade-in allowance, and six (6) Snow Plows and Wings at a maximum cost of \$10,655.00.

Section 3. It is hereby stated that (a) the maximum cost of said purpose as estimated by the Town Board, is \$33,780.21 and trade-in, 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 trade-in.

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

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

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

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

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

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

AYES: -6-

NOES: -0-

ABSENT: -1-

Councilman Kornecki presented the following resolution and moved its adoption:

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

THEREFORE,

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

(1) Capital Notes of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$33,780.21 shall be issued pursuant to the Capital Note resolution entitled "Capital Note Resolution, Dated July 2, 1962, Authorizing the Issuance of \$33,780.21 Capital Notes of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance

Item No. 16-Cont'd

Law, to Finance the Acquisition of Highway Machinery." Said Capital Notes shall be designated "Highway Machinery Capital Notes, Series C of 1962". Said Capital Notes shall consist of two notes of the denominations of \$16,890.11 and \$16,890.10 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 year 1963 and 1964.

(2) Each of said Capital Notes shall be dated as of a date on or subsequent to July 2, 1962 and shall bear interest from their date at the rate of Two and Three-Quarters Per Cent (2 3/4%) per annum. The interest on the Capital Notes shall be payable annually on April 1.

(3) Both principal of and interest on said Capital Notes shall be payable at the Manufacturers and Traders Trust Company of Buffalo, New York, in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts.

(4) Each of said Capital Notes shall be payable to bearer and shall be convertible into a registered Capital note. Each of said Capital Notes shall be executed by the Town Supervisor of said Town and shall be attested by the Town Clerk of said Town. Each of said Capital Notes shall be sealed with the seal of said Town.

(5) The Power to prescribe the terms, form and contents of said Capital Notes, subject to the provisions of this resolution, are hereby delegated to the Town Supervisor. Said Capital Notes shall be sold to the Manufacturers and Traders Trust Company of Buffalo, New York, at private sale and shall bear an interest rate of Two and Three-Quarters Per Cent (2 3/4%) 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.

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

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

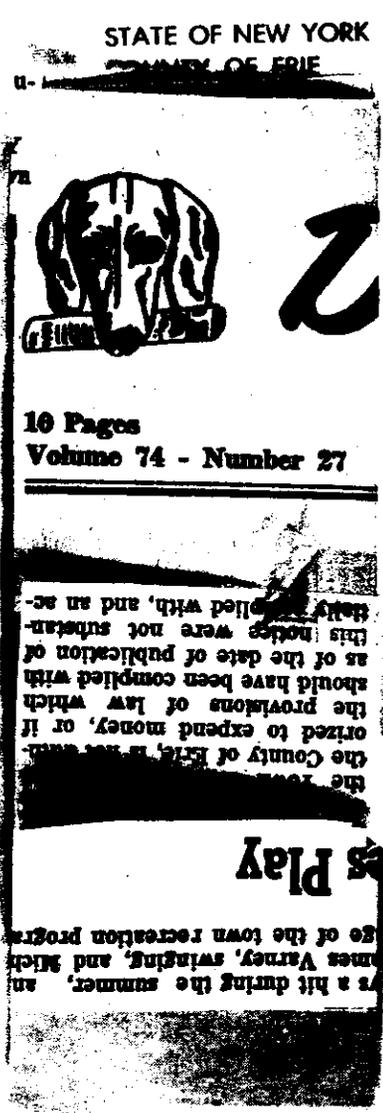
AYES: -6-

NOES: -0-

ABSENT: -1-

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

(Affidavit on Next Page)



} 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 5<sup>th</sup> day of July, 1962, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

Richard G. Bennett

Sworn to before me this \_\_\_\_\_ day of  
**JUL 6** 1962 19\_\_\_\_  
Glenn T. Hanley  
Notary Public in and for Erie County

STATE OF NEW YORK  
COUNTY OF ERIE

} 55.

**CAPITAL NOTE RESOLUTION, DATED JULY 2, 1902, AUTHORIZING THE ISSUANCE OF \$33,780.21 CAPITAL NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE ACQUISITION OF HIGHWAY MACHINERY.**

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

Section 1. The Town of Cheektowaga, in the County of Erie, shall issue its Capital Notes of the aggregate principal amount of \$33,780.21 pursuant to the Local Finance Law of New York, in order to finance the specific object or purpose hereinafter described.

Section 2. The specific purpose (hereinafter referred to as "purpose") to be financed by the issuance of such Capital Notes is the acquisition of machinery and apparatus for highway construction or maintenance, and purchase of three (3) Dump Trucks at a maximum cost of \$12,000.00 and trade-in allowance and six (6) Snow Plows and blades at a maximum cost of \$21,780.00.

Section 3. It is hereby stated that (a) the maximum cost of said purpose as estimated by the Town Board, is \$33,780.21 and trade-in, 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 trade-in.

Section 4. It is hereby deter-

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

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

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

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

The capital note resolution published herewith has been adopted on the 2nd day of July, 1902, and the validity of the obligations authorized by such bond 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 ac-

tion, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice; or such obligations were authorized in violation of

the provisions of the Constitution of New York.

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

176

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

RESOLVED, that the New York State Gas and Electric Company be authorized to make the following light installations and removals. Install 13 - 175 watt mercury units on wood poles (Poles 223, 223-1, 224, 225, 225-1, 226, 226-1, 227 and 228 on William Street; poles 32, 32-1, 32-2 and 32-3 on Richard Street.) Remove 14- 4000 lumen post type ornamental units (standards 1, 3, 4, 5, 6, 7, 8, 12, 13, 14, 15, 16, 17 and 18) 3 - 400 lumen filament, underpass units (Fixtures 9, 10 & 11) 1 - 6000 lumen filament unit on wood pole (Pole2). Underground line - 3000 feet.

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

Supervisor Holtz	Supervisor
Councilman Bystrak	Councilman
Councilman Wroblewski	Councilman
Councilman Kornecki	Councilman
Councilman Trojanoski	Councilman
Councilman Kaczmarek	Councilman

DATED: July 2nd, 1962

CARRIED: AYES: -6- ABSENT: -1-

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Item No. 18 The following resolution was moved by Councilman Kornecki and seconded by Councilman Bystrak:

That the following claims be approved as presented:

General Fund	Nos.	6282	to	6335	inclusive
	Nos.		to/		inclusive
Highway Fund	Nos.	1885	to	1907	inclusive
	Nos.		to		inclusive
ocial Districts	Nos.	2474	to	2505	inclusive
	Nos.		to		inclusive
et Town Fund	Nos.	752	to	758	inclusive
C & I	Nos.	366			
Tax	Nos.				
Health	Nos.				

2  
6

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

Item No. 19 Moved by Councilman Wroblewski, seconded by Councilman Trojanoski, that the Town Clerk be authorized and directed to issue building permits on applications approved by the Building Inspector in his communication dated July 2, 1962.

CARRIED: AYES: -6- ABSENT: -1-

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Item No. 20 Town Attorney Kitzinger reported to the Town Board that he recently visited the Idlewood Airport at New York City and met counsel there and asked about landing lights. He was advised that a public hearing would be for original airport and no hearing would take place on anything else.

F.A.A. says that the Niagara Area must have a airport that one percent of the business comes from this airport but other nearby cities can take it if they wish.

The F.A.A. have granted \$400,000.00 for lighting measures. They also refused to grant a hearing. I wrote and demanded a public hearing.

Item No. 20-Cont'd

The Town Board of the Town of Amherst will meet with this Board on July 9, 1962, at 2:30 P.M.

The F.A.A. has no objection to the moving of the airport. Mr. Raichle is not ready as yet to make a statement.

I would like to set the stage for an appeal on this airport matter and have tried to contact Senator Walter J. Mahoney, to arrange a meeting with the Governor in regard to the safety of the airport.

Mr. Garver, No. was granted the floor and asked the Deputy Town Attorney information relating to the Cheektowaga Anti-Noise Law.

Mr. Delahunt said that he is trying to work up something that is applicable to this situation.

42  
33

Item No. 21  
to adjourn.

Moved by Councilman Kaczmarek, seconded by Councilman Bystrak,

SEAL

Kenneth T. Hanley,  
Town Clerk

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 16th day of July 1962, at 7:30 p.m., E.D.S.T., there were:

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

ABSENT: -0-

Also present were: Town Clerk Hanley; Town Attorney Kitzinger; Deputy Town Attorney Delahunt; Town Engineer Kamm; Recreation Director Rutkowski; and Town Historian Julia B. Reinstein.

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

Item No. 3 Ordered received and filed communication from the Receiver of Taxes & Assessments statement covering 1962 County Tax Collection.

Item No. 4 Referred to the Petitions Committee communication from the William Street Citizens and Tax Payers Association relating to a building at the corner of William Street and Glidden Street as being a eye sore, and a danger to the community as well as a fire hazard.

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

WHEREAS, the New York State Thruway Authority has erected a toll barrier at Shanley Street in the Town of Cheektowaga, and charges .15¢ for automobile traffic in each direction through said toll barrier, and

WHEREAS, many vehicles have been avoiding the toll when going west by leaving the Thruway at Walden Avenue and re-entering at Dingens Street, and when going east by leaving the Thruway at South Ogden Street and re-entering at Walden Avenue, which exit and re-entry of the Thruway has caused serious traffic congestions in the Town of Cheektowaga and a clogging of the narrow streets in said Town, especially at the peak traffic periods, and

WHEREAS, the said toll and its immediate results impose an unjust burden on the residents of the Town of Cheektowaga, and

WHEREAS, attempts are being made to eliminate the institution of toll collections at the Breckenridge Street toll barrier on the Thruway,

NOW THEREFORE, the Cheektowaga Town Board unanimously goes on record as being opposed to the continuance of toll collections at the Thruway toll barrier situated in the Town of Cheektowaga, and requests that the legality of said toll collections be included in the study being made by local, State and Federal officials concerning tolls at the Breckenridge Street toll barrier of the Thruway Authority, and that every effort be made to eliminate the unfair penalty being inflicted upon the people of Cheektowaga, and

BE IT FURTHER RESOLVED, that the Town Clerk be and he hereby is directed to submit certified copies of this resolution to Governor Nelson Rockefeller, Congressman John R. Pillion, New York State Senate Majority Leader Walter J. Mahoney and Chairman Bixby of the New York

Item No. 5-Cont'd

State Thruway Authority.

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

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

AYES: -7-

NOES: -0-

ABSENT: -0-

8  
42

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

WHEREAS, Marlene Drive is a Town highway of the Town of Cheektowaga, and

WHEREAS, the development of said Marlene Drive has been strictly residential in character, and

WHEREAS, any use of said Marlene Drive by cars entering or leaving the plaza located at the southwest corner of George Urban Boulevard and Dick Road would be inconsistent with the character of said Marlene Drive, would represent a traffic hazard to the children living on Marlene Drive and to the ordinary flow of vehicular traffic to and from the homes on said Marlene Drive; NOW, THEREFORE, be it

ORDERED, pursuant to the provisions of Section 1661 of the Vehicle and Traffic Law of New York, that no motor vehicles shall be permitted to enter or leave the said plaza by way of Marlene Drive other than by public highways intersecting said Marlene Drive, and it is

FURTHER ORDERED, that the Town Engineer shall arrange for the barricading of any premises abutting on said Marlene Drive if the same are used for such prohibited ingress or egress.

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

7-16-62 CARRIED: AYES: -7-

41  
13

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

WHEREAS, Holloway & Company, Accountants for this Town, have recommended that the bank account at the Airport Plaza Office of the Manufacturers and Traders Trust Company, presently entitled "Employees Withholding For Social Security Contribution Fund", be changed to "Trust and Agency Fund"; NOW, THEREFORE,

BE IT RESOLVED that the aforementioned change in the name of the said bank account be effected, and the Supervisor is hereby directed to carry out this change.

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

7-16-62 CARRIED: AYES: -7-

12

Item No. 8 Moved by Councilman Kornecki and seconded by Councilman Wroblewski that the following transfers be made:

<u>ACCOUNT</u> <u>Number</u>	<u>TRANSFER FROM</u>	<u>ACCOUNT</u> <u>Number</u>	<u>TRANSFER TO</u>	<u>AMOUNT</u>
8-03-1-14		8-03-1-15		\$1,500.00
8-04-1-08		8-04-3-03		100.00

Item No. 8-Cont'd

8-05-1-22	8-05-3-07	500.00
8-05-1-22	8-05-3-08	960.00
8-06-3-16	8-06-3-17	20.00
8-07-1-38	8-07-1-39	212.16
8-08-3-20	8-08-1-36	93.45
8-21-3-64	8-21-3-65	466.00
8-24-0-00	8-25-3-45	.84
8-28-3-52	8-28-3-51	1,000.00
8-34-1-55	8-35-3-60	5,000.00
8-34-2-15	8-34-1-57	1,200.00
8-35-3-61	8-35-3-62	400.00
8-34-3-59	8-35-1-62	420.16
8-34-3-56	8-34-3-55	100.00
7-31-0-01	7-31-0-15	.02
7-41-0-01	7-41-0-07	2,877.26
7-44-0-01	7-44-0-04	1,120.00
7-44-0-01	7-44-0-14	50.98
7-44-0-06	7-44-0-07	7,714.19
7-58-0-01	7-58-0-05	1,864.52
7-60-0-00	7-60-0-01	446.00
7-61-0-00	7-61-0-01	1,066.06
7-62-0-00	7-62-0-01	418.00
7-63-0-00	7-63-0-01	664.03
7-68-0-01	7-68-0-02	1,039.24
7-72-0-00	7-72-0-01	78.13
7-74-0-00	7-74-0-01	428.00
7-75-0-00	7-75-0-01	428.00
7-76-0-00	7-76-0-01	755.00
7-80-0-00	7-80-0-01	754.86
7-81-0-00	7-81-0-01	2,372.86
7-82-0-00	7-82-0-01	2,928.25
7-88-0-04	7-88-0-07	.02
7-31-0-11	7-31-0-10	5,000.00
7-41-0-01	7-41-0-75	904.81

The above resolution was duly put to a vote on roll call which resulted as follows:

Ayes - All (7)      Nays - None

The resolution was thereupon declared duly adopted.

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

RESOLVED, that this Town Board join with the Town Board of the Town of Amherst in seeking a conference with the members of the Niagara Frontier Port Authority to discuss problems confronting the owners of property both in the Town of Cheektowaga and the Town of Amherst which will result from the proposed extension of the Greater Buffalo International Airport runway to accommodate jet operations.

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

Dated: July 16, 1962

CARRIED: AYES: -7-

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

BE IT RESOLVED, that Edward Lelonek, licensed real estate broker of the State of New York, be and he hereby is engaged to make an appraisal of the property owned by Joseph P. Straubinger located on the south side of Maryvale Drive adjacent to the Maryvale Elementary

Item No. 10 Cont'd

School, having a frontage of 225 feet and a depth of 160 feet; and also of the lot owned by said Joseph P. Straubinger located on Beach Road, the north line of which lot is the extended south line of property fronting on Maryvale Drive; and also to make an appraisal of the property of Edward Szydowski consisting of the south-east and south-west corners of the intersection of William and Glidden Streets, such appraisals to be made in connection with the Town Board's study of branch library location.

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

Dated: July 16, 1962

CARRIED: AYES: -7-

31  
44

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

RESOLVED, that the New York State Gas and Electric Company be authorized to make the following light installations. Install 4 - 2500 lumen globe type overhead lights on existing Poles #1, 2, 3, and 4 on Bismark Street and install 1 - 2500 lumen glass type overhead light on existing Pole #7 - 398 Smallwood.

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

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

Dated: July 16, 1962

CARRIED: AYES: -7-

51

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

WHEREAS, the Superintendent of Highways has reported that in his opinion the Town highways or portions thereof as contained in the attached list, which is made a part hereof, would be materially injured by the operation of any vehicle thereon having a gross weight of over six (6) tons, and has requested that this Town Board take action to exclude such vehicles from the use of said highways unless a bond be given to insure the repair or reconstruction thereof, and this Board concurs in the said opinion of the Superintendent of Highways; NOW, THEREFORE,

BE IT ORDERED, pursuant to the provisions of paragraph 11 of Subdivision (a) of Section 1660 of the Vehicle and Traffic Law of New York, as amended by Chapter 730 of the Laws of New York of 1962, that there are hereby excluded from the Town highways or portions thereof contained in the list of the notice that follows any vehicles with a gross weight of over six (6) tons, except that upon the written application of the operator of a vehicle subject to this order, the Town Board may issue a permit providing appropriate exemption to such vehicle if it is deemed that said vehicle is performing essential local pickup or delivery service, and that failure to grant such permit would create hardship, and providing that the applicant shall furnish a bond issued by a surety company authorized to do business in the State of New York, in the amount of \$100,000, and in such form as shall be approved by the Town Attorney, to insure repair or replacement of the highway or highways or portions thereof used by the permittee, and such permit may designate the route to be traversed and contain other reasonable restrictions or conditions deemed necessary. Such permit shall be carried on the vehicle

to which it refers, and shall be open to inspection by any peace officer, and shall remain in effect for the duration of the restrictions imposed under this order, and be it

FURTHER ORDERED, that the Superintendent of Highways shall erect signs on the Town highways or portions thereof as contained in the attached list, and the following notice shall be published in the Depew Herald-Cheektowaga News, a newspaper having a general circulation in the Town:

NOTICE

Pursuant to order of the Town Board of the Town of Cheektowaga, Erie County, New York, duly adopted at a regular meeting thereof held on July 16, 1962, pursuant to the provisions of paragraph 11 of Subdivision (a) of Section 1660 of the Vehicle and Traffic Law of New York, as amended by Chapter 730 of the Laws of New York of 1962, there are hereby excluded from the highways listed below, any vehicles with a gross weight of over six (6) tons, except that upon the written application of the operator of a vehicle subject to this order, the Town Board may issue a permit providing appropriate exemption to such vehicle if it is deemed that said vehicle is performing essential local pickup or delivery service, and that failure to grant such permit would create hardship, and providing that the applicant shall furnish a bond issued by a survey company authorized to do business in the State of New York, in the amount of \$100,000, and in such form as shall be approved by the Town Attorney, to insure repair or replacement of the highway or highways or portions thereof used by the permittee, and such permit may designate the route to be traversed and contain other reasonable restrictions or conditions deemed necessary. Such permit shall be carried on the vehicle to which it refers, and shall be open to inspection by any peace officer, and shall remain in effect for the duration of the restrictions imposed under this order.

SHANLEY ST.	- from Clinton to Griswold
PLEASANT PKWY.	- from Clinton to Griswold
WILLOWLAWN PKWY.	- from Clinton to Griswold
MEADOWBROOK PKWY.	- from Clinton to Griswold
GRISWOLD ST.	- from City Line to Rossler
ROSSLER ST.	- from Dingen St. to William St.
SHANLEY ST.	- from Dingen St. to William St.
CLAUDE DR.	- from Dingen St. to Hurd
MEDINA ST.	- from Dingen St. to William St.
ALASKA ST.	- from Dingen St. to Hurd
COLBY ST.	- from Dingen St. to William St.
KEDLEY ST.	- from Dingen St. to William St.
GLIDDEN ST.	- from Dingen St. to William St.
PARKER AVE.	- from Harlem Ave. to Colby
PARKER AVE.	- from Harlem Ave. to Helen St.
CRISFIELD AVE.	- from Dingen St. to William St.
HENRY ST.	- from Cayuga Cr. Rd. to William St.
VERN LANE	- from William St. to Union Rd.
LUDWIG ST.	- from William St. to Broadway
ST. FELIX AVE.	- from William St. to Columbus
KENNEDY RD.	- from William St. to Wojcik
CONSTANCE LANE	- from Vern Lane to Sandy Lane
JOANNE LANE	- from Vern Lane to Dennis Lane
DENNIS LANE	- from Joanne Lane to Constance Lane
SANDY LANE	- from Vern Lane to Dead End
IROQUOIS AVE.	- from William St. to Stradtman
WABASH AVE.	- from William St. to Stradtman
PEORIA AVE.	- from William St. to Stradtman
MANSION AVE.	- from William St. to Stradtman
WARSAW ST.	- from William St. to Center Ave.
LINDEN ST.	- from William St. to Center Ave.
CENTER AVE.	- from Linden St. to Girard
WALLACE AVE.	- from Broadway to Gruner Rd.

Item No. 12-Cont'd

WHEATON DR.	- from Geo. Urban Blvd. to Genesee
ANDREWS AVE.	- from Genesee St. to E. Delavan
ALPINE PL.	- from Genesee St. to Pennock Place
AVERY PL.	- from Genesee St. to Pennock Place
HERBERT AVE.	- from Olcott Place to City Line
ATWOOD PL.	- from East End Ave. to Barbara
DANBURY DR.	- from Harlem Rd. to Woodridge Ave.
WESTBROOK DR.	- from Harlem Rd. to Woodridge Ave.
LORETTO DR.	- from Harlem Rd. to Seton Rd.
MAFALDA DR.	- from Harlem Rd. to Nina Place
WOODCLIFFE TERR.	- from Harlem Rd. to Marsdale Rd.
MARSDALE RD.	- from Cleveland Dr. to Fontaine Dr.
CENTURY RD.	- from Treehaven Rd. to Cleveland Dr.
DARWIN DR.	- from Wehrle Dr. to Cleveland Dr.
COMMUNITY DR.	- from Maryvale Dr. to Cedargrove Circle
CEDARGROVE CIRCLE	- from Maryvale Dr. to Maryvale Dr.
ELLWOOD PL.	- from Beryl Dr. to Cedargrove Circle
SCHLENKER AVE.	- FROM Union Rd. to End
CLAUDETTE CT.	- from Dick Rd. to Santin Dr.
LYDIA LANE	- from Dick Rd. to Homeworth Pkwy.
W. SOBIESKI AVE.	- from Dick Rd. to Buell Ave.
BUELL AVE.	- from Genesee St. to W. Sobieski
REIN RD.	- from Genesee St. to Aero Dr.
ROGERS DR.	- from Cayuga Rd. to Kathleen Dr.
KATHLEEN DR.	- from Maryvale Dr. to Rogers Dr.
LOUIS ST.	- from Maryvale Dr. to Rosedale Dr.
ROSEDALE DR.	- from Union Rd. to Louis St.
ANDERSON RD.	- from Walden Ave. to Dale Rd.
STRASMER RD.	- from Transit Rd. to Borden Rd.
THE AVE.	- from Dale Rd. to Walden Ave.
RIDGE PARK AVE.	- from Walden Ave. to Harlem Rd.
GUALBERT AVE.	- from Walden Ave. to Straley Ave.
WILDY ST.	- from Pine Ridge Rd. to Gualbert
WESTCHESTER DR.	- from Ridge Park to Harlem
GREENLEAF LANE	- from Ridge Park to Harlem
STRALEY AVE.	- from Harlem to Gualbert Ave.
LENA AVE.	- from Harlem Rd. to Vincent Ave.
ABELES AVE.	- from Harlem to Tillotson Ave.
DANIEL AVE.	- from Harlem to Tillotson Ave.
MC PARLIN AVE.	- from Harlem to Tillotson Ave.
LYMAN AVE.	- from Harlem to Tillotson Ave.
TILLOTSON AVE.	- from Lyman Ave. to McNaughton Ave.
KEMP AVE.	- from Tillotson Ave. to The Ave.
MC NAUGHTON AVE.	- from Harlem to Geo. Urban Blvd.
ST. BONIFACE RD.	- from McNaughton Ave. to McNaughton Ave.
MILDRED DR.	- from Geo. Urgan to Genesee St.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA,  
ERIE COUNTY, NEW YORK.

Dated: July 16, 1962

KENNETH T. HANLEY  
TOWN CLERK

13  
41

BE IT FURTHER ORDERED, that this order shall take effect  
immediately.

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

CARRIED: AYES: -7-

Posted 7-21-62 on the Town Hall Bulletin Board.

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

(Affidavit on Next Page)

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one week:  
first publication AUG - 2 1962  
last publication AUG - 2 1962;  
and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

day of SEP 11 1962, 19.....

Eve J. Allis

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

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



STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

Agains

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 19th day  
of July, 1962, and the last inser-  
tion being on the \_\_\_\_\_ day of \_\_\_\_\_,  
19\_\_\_\_, and that not more than six days intervened  
between any two publications thereof

*Richard G. Bennett*

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

JUL 21 1962, 19\_\_\_\_

*Kenneth T. Hanley*

Notary Public in and for Erie County

**Committee  
Game; Question  
Is**  
An alleged lottery was halted at St. ...  
at about 2 o'clock Sunday following ...  
by the Lancaster Town Police at 1:15 ...  
to Capt. Victor Ott ...  
the com. ...  
Augustine's, Albin ...  
man of the place ...  
Blair ...  
illegal bingo ...  
Police ...  
Public ...  
the legality ...  
its po- ...  
each ...  
the State ...  
the ...

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

**NOTICE**  
 Pursuant to order of the Town Board of the Town of Cheektowaga, Erie County, New York, duly adopted at a regular meeting thereof held on July 16, 1962, pursuant to the provisions of paragraph 11 of Subdivision (a) of Section 1000 of the Vehicle and Traffic Law of New York, as amended by Chapter 730 of the Laws of New York of 1962, there are hereby excluded from the highways listed below, any vehicles with a gross weight of over six (6) tons, except that upon the written application of the operator of a vehicle subject to this order, the Town Board may issue a permit providing appropriate exemption to such vehicle if it is deemed that said vehicle is performing essential local pickup or delivery service, and that failure to grant such permit would create hardship, and providing that the applicant shall furnish a bond issued by a surety company authorized to do business in the State of New York, in the amount of \$100,000, and in such form as shall be approved by the Town Attorney, to insure repair or replacement of the highway or highways or portions thereof used by the permittee, and such permit may designate the route to be traversed and contain other reasonable restrictions or conditions deemed necessary. Such permit shall be carried on the vehicle to which it refers, and shall be open to inspection by any peace officer, and shall remain in effect for the duration of the restrictions imposed under this order.

- SHAWLEY ST.—from Clinton to Griswold
- FLORANT PKWY.—from Clinton to Griswold
- WILLOWLAWN PKWY.—from Clinton to Griswold
- SHADOWBROOK PKWY.—from Clinton to Griswold
- GRISWOLD ST.—from City Line to Rosler
- ROSLER ST.—from Dingen St. to William St.
- SHAWLEY ST.—from Dingen St. to William St.
- CLAUDE DR.—from Dingen St. to Hurd
- HELENA ST.—from Dingen St. to William St.
- ALABAMA ST.—from Dingen St. to Hurd St.
- CELESTY ST.—from Dingen St. to William St.
- HELENA ST.—from Dingen St. to William St.
- GREEN ST.—from Dingen St. to William St.
- PARSONS AVE.—from Harlem Ave. to Colby
- WALKER AVE.—from Harlem Ave. to Helen St.
- GREENFIELD AVE.—from Dingen St. to William St.
- HELEN ST.—from Cayuga Cr. Rd. to William St.
- VERN LANE.—from William St. to Union Rd.
- LUDWIG ST.—from William St. to Broadway
- ST. FELIX AVE.—from William St. to Columbus
- KENNEDY RD.—from William St. to Wojcik
- CONSTANCE LANE.—from Vern Lane to Sandy Lane
- JOANNE LANE.—from Vern Lane to Dennis Lane
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- PEORIA AVE.—from William St. to Stradtman
- MANSION AVE.—from William St. to Stradtman
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- COMMUNITY DR.—from Maryvale Dr. to Cedargrove Circle
- CEDARGROVE CIRCLE.—from Maryvale Dr. to Maryvale Dr.
- ELLWOOD PL.—from BERYL Dr. to Cedargrove Circle
- SCHLENKER AVE.—from Union Rd. to End
- CLAUDETTE CT.—from Dick Rd. to Santin Dr.
- LYDIA LANE.—from Dick Rd. to Homeworth Pkwy.
- W. SOBIESKI AVE.—from Dick Rd. to Buell Ave.
- BUELL AVE.—from Genesee St. to W. Sobieski
- REEN RD.—from Genesee St. to Aero Dr.
- ROGERS DR.—from Cayuga Rd. to Kathleen Dr.
- KATHLEEN DR.—from Maryvale Dr. to Rogers Dr.
- LOUIS ST.—from Maryvale Dr. to Rosedale Dr.
- ROSEDALE DR.—from Union Rd. to Louis St.
- ANDERSON RD.—from Walden Ave. to Dale Rd.
- STRASMER RD.—from Transit Rd. to Borden Rd.
- THE AVE.—from Dale Rd. to Walden Ave.
- RIDGE PARK AVE.—from Walden Ave. to Harlem Rd.
- GUALBERT AVE.—from Walden Ave. to Straley Ave.
- WILLY ST.—from Pine Ridge Rd. to Gualbert
- WESTCHESTER DR.—from Ridge Park to Harlem
- GREENLEAF LANE.—from Ridge Park to Harlem
- STRALEY AVE.—from Harlem to Gualbert Ave.
- LENA AVE.—from Harlem Rd. to Vincent Ave.
- ABELES AVE.—from Harlem to Tillotson Ave.
- DANIEL AVE.—from Harlem to Tillotson Ave.
- MCPARTLEN AVE.—from Harlem to Tillotson Ave.
- LYMAN AVE.—from Harlem to Tillotson Ave.
- TILLOTSON AVE.—from Lyman Ave. to McNaughton Ave.
- KEMP AVE.—from Tillotson Ave. to The Ave.
- MCAUGHTON AVE.—from Harlem to Geo. Urban Blvd.
- ST. BONIFACE RD.—from McNaughton Ave. to McNaughton Ave.
- MILDRED DR.—from Geo. Urban Blvd. to Genesee St.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.  
 Dated: July 16, 1962

KENNETH T. HANLEY  
 Town Clerk

RICHARD G. BENNETT

deposes and says that he is the  
 PUBLISHER

Cheektowaga  
 Paid and News

with general circulation in the Towns of  
 and Lancaster, and published at Depew,  
 notice of which the annexed printed  
 said newspaper, is a copy, was in-  
 scribed therein once a week for 1  
 insertion being on the 19th day  
 of 1962, and the last inser-  
 tion being on the \_\_\_\_\_  
 day of \_\_\_\_\_  
 at not more than six days intervened  
 to publications thereof

*Richard G. Bennett*

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

WHEREAS, this Town Board has heretofore established Sewer District No. 7, and by resolution adopted April 16, 1962, extended the boundaries of said District to include an area north of the north line of the Village of Depew and easterly to the right-of-way line of New York Central Railroad, and adopted a plan of sewerage for said Sewer District, including such extension, and

WHEREAS, the proceedings for the said extension of said Sewer District and the map, plan and report of Nussbaumer, Clarke & Velzy, Consulting Engineers for this Town, contemplated the construction, as part of the improvements of said extension of said District, of an 18" reinforced concrete main sewer from an existing manhole in Lydia Lane easterly to the east line of Lou Ann Drive, a distance of 291 feet, including two (2) manholes in the east and west lines of said Lou Ann Drive, and

WHEREAS, prior to the completion of the proceedings for the extension of said Sewer District, Nuncio Cardarelli and Gildo Baldassi, at their own expense, constructed said sewer main of vitrified tile pipe and have offered to sell the same to the extension of said Sewer District for the sum of \$6,083.00, and have presented the attached itemized cost of same, and

WHEREAS, the said Nussbaumer, Clarke & Velzy have reported that such cost is reasonable, and

WHEREAS, this change in the method of acquisition of said sewer main and appurtenances and in the kind of pipe used required that the said plan of sewerage be modified; NOW, THEREFORE,

BE IT RESOLVED, that the Town Clerk be and he hereby is directed to publish in the DEPEW HERALD AND CHEEKTOWAGA NEWS, a newspaper having a general circulation in the Town of Cheektowaga and in said Sewer District, on July 19, 1962, the following notice:

PUBLIC NOTICE

TAKE NOTICE that the Town Board of the Town of Cheektowaga intends to modify the plan of sewerage of Sewer District No. 7 of the Town of Cheektowaga in the area of said District covered by the extension thereof effected by resolution adopted on April 16, 1962, by providing for the purchase from Nuncio Cardarelli and Gildo Baldassi of the vitrified tile sewer main and appurtenances running from an existing manhole in Lydia Lane easterly to the east line of Lou Ann Drive, a distance of 291 feet, for the sum of \$6,083.00, instead of constructing such facilities, the same having been installed by the said Nuncio Cardarelli and Gildo Baldassi prior to the said extension of said Sewer District, and to provide for the use of vitrified tile instead of reinforced concrete pipe therefor, and that this Board will meet at the Town Hall, corner of Broadway and Union Road in said Town, on the 6th day of August, 1962, at 2:30 o'clock P.M., Eastern Daylight Saving Time, for the purpose of considering any objections which may be made to such proposed modification.

Dated: July 16, 1962

KENNETH T. HANLEY  
Town Clerk

24

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

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

AYES: 7

NOES: 0

ABSENT: 0

Item No. 13 Cont'd

Posted as follows on the 21st day of July, 1962:

- 1-Town Hall Bulletin Board;
- 2-Forks Fire Hall, Broadway and Union Road;
- 3-Doyle Fire Hall No. 1, William and Alaska Street;
- 4-Bellevue Fire Hall, Como Park Blvd.;
- 5-Hy View Fire Hall, Hyland Avenue.

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

(Affidavit on next page)

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

**PUBLIC NOTICE**  
**TAKE NOTICE** that the Town Board of the Town of Cheektowaga intends to modify the plan of sewerage of Sewer District No. 7 of the Town of Cheektowaga in the area of said District covered by the extension thereof effected by resolution adopted on April 18, 1962, by providing for the purchase from Nuncio Cardarelli and Gilda Baldassi of the vitrified tile sewer main and appurtenances running from an existing manhole in Lydia Lane easterly to the east line of Lou Ann Drive, a distance of 291 feet, for the sum of \$4,085.00, instead of constructing such facilities, the same having been installed by the said Nuncio Cardarelli and Gilda Baldassi prior to the said resolution of said Sewer District. This provides for the use of vitrified tile instead of vitrified concrete pipe therefor, and that this Board will meet at the Town Hall, corner of Broadway and Union Road in said Town, on the 6th day of August, 1962, at 2:30 o'clock P.M., Eastern Daylight Saving Time, for the purpose of considering any objections which may be made to such proposed modification.  
 Dated: July 16, 1962  
**KENNETH T. HANLEY**  
 Town Clerk

**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 19th day of July, 1962, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

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

JUL 21 1962, 19\_\_\_\_  
*Kenneth T. Hanley*  
 Notary Public in and for Erie County

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

BE IT RESOLVED, that there be granted to Emil J. Cerullo, a permit to use premises having a frontage of 223 feet on the north side of Genesee Street, commencing 235 feet west of the center line of Transit Road, for the sale and service of new and used mobile homes, such permit to be issued in accordance with Subdivision 5 of Section 14-A of the Zoning Ordinances of this Town, such permit to be for the period of July 1, 1962 to June 30, 1963 and to be issued by the Town Clerk upon payment of \$100.00 fee.

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

Dated: July 16th, 1962 CARRIED: AYES: -7- 19  
34

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

RESOLVED, that this Town Board does hereby request the Erie County Highway Department for permission to install, operate and maintain a traffic signal light at the intersection of Cayuga Creek Road and Henry Street, Town of Cheektowaga, New York, to be used in connection with the opening of the new District No. 9 High School.

Seconded by Councilman Kornecki.

7-16-62 CARRIED: AYES: -7- 41

Item No. 16 Moved by Councilman Trojanoski, seconded by Councilman Fath, that the Town Board be authorized and directed to attend a meeting in Albany N.Y. on July 26, 1962 in regard to the new town laws and that their reasonable expenses be a proper town charge.

7-16-62 CARRIED: AYES: -7- 34  
42

Item No. 17 Moved by Councilman Wroblewski, seconded by Councilman Trojanoski, that two members of the Board of Assessors be authorized and directed to attend a meeting in Albany N.Y. on August 2nd, 1962 to protect the Town's interest in regard to a meeting to be held in that city in regard to assessments, and that their reasonable expenses be a proper town charge.

7-16-62 CARRIED: AYES: -7- 32

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

WHEREAS, Nussbaumer, Clarke & Velzy, Consulting Engineers for the Town of Cheektowaga, have prepared final plans and specifications for the construction of storm sewers on Ellsworth Drive extension and on Barone Circle in Storm Drainage District No. 7 and have submitted the same to this Town Board, be it

RESOLVED AS follows:

1. That said plans and specifications are hereby approved.
2. That sealed proposals for the construction of such work shall be received by this Town Board in accordance with the attached Notice to Contractors.

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

Item No. 18-Cont'd

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

AYES: -7-

NOES: -0-

ABSENT: -0-

NOTICE OF 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 6th day of August, 1962, at 2:30 P.M.E.D.S.T., in the Town Hall, Broadway at Union Road, Cheektowaga, New York, for furnishing all materials, tools, equipment, and together with all labor for the construction of approximately 2,257 lineal feet of 36 inch, 216 lineal feet of 24 inch, reinforced concrete storm sewer pipe on Ellsworth Drive Extension, and approximately 1,724 lineal feet of 24 inch, reinforced concrete storm sewer pipe on Barone Circle, in Storm Drainage District No. 7, Town of Cheektowaga, Erie County, New York, including manholes, and other related work in accordance with the contract documents thereof, including plans, specifications, instructions to bidders, etc., prepared by Nussbaumer, Clarke & Velzy, 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 and Velzy, Consulting Engineers, 327 Franklin Street Buffalo 2, New York. One copy of said proposed documents may be obtained upon payment of \$30.00. Any bidder, upon returning said plans and contract documents in good condition, within twenty (20) days following the taking of bids will be refunded the full amount of his deposit; non bidders will similarly be refunded only one-half the deposit.

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

Each proposal must be accompanied by a certified check for a sum equal to five per centum (5%) of the estimated expense of the total improvement payable to the order of the Supervisor, or a bond with sufficient sureties, to be approved by the Supervisor, or a penal sum equal to five per centum (5%) of the estimated expense of the improvement, conditioned that if his proposal is accepted, he will enter into a contract for the same, and that he will execute such further security as may be required for the faithful performance of the contract.

No bidder may withdraw his bid within forty-five (45) days after the date set for the opening thereof, but may withdraw same at any time prior to the scheduled time for the opening of bids.

Kenneth T. Hanley,  
Town Clerk

Dated: July 16, 1962  
Published: July 19, 1962

Item No. 18-Cont'd

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

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

**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 6th day of August, 1962, at 2:30 P.M. A.M.T. in the Town Hall, Cheektowaga at Union Road, Cheektowaga, New York, for furnishing all materials, tools, equipment, and together with all labor for the construction of approximately 2,257 lineal feet of 24 inch, 216 lineal feet of 24 inch reinforced concrete pipe on the

Mr. Perrine, who has participated in several previous United Way drives, is principal of the Court Street School in Lancaster. A graduate of New York State College of Education at Cortland, with a masters degree in education from the University of Michigan, he has been

Last Wednesday during the regular meeting of the Lancaster Republican Club Picnic, Chairman Edward Fellingner named the remainder of the picnic committee chairman. The Republican picnic will be held on July 29 from

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 July, 1962, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

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

JUL 21 1962, 19\_\_\_\_

*Kenneth T. Hanley*

Notary Public in and for Erie County

Item No. 18-Cont'd

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

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

**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 Board on the 6th day of August, 1962, at 2:30 P.M. P.M.T. in the Town Hall, Broadway at Union Road, Cheektowaga, New York, for furnishing all materials, tools, equipment, and together with labor for the construction of approximately 2,257 lineal feet of 24 inch, 216 lineal feet of 24 inch, reinforced concrete storm sewer pipe on Ellsworth Drive, Cheektowaga, and approximately 1,100 lineal feet of 24 inch, reinforced concrete storm sewer pipe on Barone Circle, in Storm Sewer District No. 7, Town of Cheektowaga, Erie County, New York, including manholes, and other related work in accordance with the contract documents therefor, including specifications, instructions to bidders, etc., prepared by Nussbaumer, Clarke & Veizy, 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 at Union Road, Cheektowaga, New York, where the same may be examined during the usual business hours.

Copies of the proposed contract documents, plans, specifications and instructions to bidders may also be examined at the office of Nussbaumer, Clarke and Veizy, Consulting Engineers, 327 Franklin Street, Buffalo 2, New York. One copy of said proposed documents may be obtained upon payment of \$30.00. Any bidder, upon receipt of said plans and specifications, shall be deemed to have

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 July, 1962, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

\_\_\_\_\_ day of

1962, 19\_\_\_\_

*Hanley*  
\_\_\_\_\_ for Erie County

refunded the full amount of the deposit; non bidders will similarly be refunded only one-half the deposit.

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

Each proposal must be accompanied by a certified check for a sum equal to five per centum (5%) of the estimated expense of the total improvement payable to the order of the Supervisor, or a bond with sufficient sureties, to be approved by the Supervisor, or a penal sum equal to five per centum (5%) of the estimated expense of the improvement, conditioned that if his proposal is accepted, he will enter into a contract for the same, and that he will execute such further security as may be required for the faithful performance of the contract.

No bidder may withdraw his bid within forty-five (45) days after the date set for the opening thereof, but may withdraw same at any time prior to the scheduled time for the opening of bids.

KENNETH T. HANLEY  
Town Clerk  
Dated: July 16, 1962  
-y19

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

WHEREAS, the Town of Cheektowaga by appropriate resolution and action of its Town Board established Fire Protection District No. 3, a complete description of which is contained in the resolution creating said fire district, which was duly adopted by the Town Board on the 2nd day of August 1954, and

WHEREAS, the Cheektowaga Town Board entered into an agreement with the South Line Volunteer Fire Company to furnish adequate fire protection for a period ending December 31st 1959 and also entered into another contract with The South Line Volunteer Fire Company for a period ending December 31st, 1962 and,

WHEREAS, it is essential to provide suitable fire protection to said Fire Protection District;

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board meet at the Town Hall on the 6th day of August, 1962, at 2:30 o'clock P.M. Eastern Daylight Saving Time, for the purpose of considering the advisability of entering into a new contract with said South Line Volunteer Fire Company, for the period beginning January 1, 1963, and terminating December 31, 1963 at an annual payment of five thousand dollars (\$5,000.00) per year, payable on March 1st, 1963 for said Fire Protection District No. 3 and the hearing of all persons interested in the subject matter concerning the same, and

BE IT FURTHER RESOLVED, that the annexed Notice of said meeting be published in the Depew Herald and Cheektowaga News, a newspaper having general circulation within said Fire Protection District, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and

BE IT FURTHER RESOLVED, that the Town Clerk post or cause to be posted conspicuously in five (5) public places within the boundaries of said Fire Protection District a Notice of said public hearing not less than ten (10) nor more than twenty (20) days before the date of hearing, and that the Town Clerk also post a copy of said Notice on a signboard maintained by him at the entrance to the Town Clerk's office.

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

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

AYES: -7-

NOES: -0-

ABSENT: -0-

NOTICE OF PUBLIC HEARING  
To provide fire protection for Fire  
Protection District No. 3 Town of  
Cheektowaga, New York

NOTICE IS HEREBY GIVEN, that there will be a public hearing by the Town Board of the Town of Cheektowaga, New York, at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York, on the 6th day of August 1962, at 2:30 o'clock P.M. Eastern Daylight Saving Time, for the purpose of considering the advisability of entering into a new contract with the South Line Volunteer Fire Company, a corporation or-

Item No. 19-Cont'd

ganized under the membership laws of the State of New York, having its office at their Fire House on French Road, Cheektowaga, New York, for the furnishing of fire protection to Fire Protection District No. 3 briefly described as follows:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being farm lots Nos. 42 to 56 inclusive, farm lots 89 to 97 inclusive and farm lots Nos. 105 to 113 inclusive of Township 10, Range 7 or the Holland Land Company's survey.

and the hearing of persons interested in the subject there of concerning the same. That the terms of said contract to be considered at such public hearing are substantailly as follows:

## TERMS OF CONTRACT

The South Line Volunteer Fire Company agrees that it has adequate and suitable fire fighting apparatus and equipment as well as sufficient membership and personnel to enable it to furnish suitable, prompt and adequate fire protection to the said Fire District No. 3.

The South Line Volunteer Fire Company agrees that it will throughout term of the contract furnish adequate, suitable and prompt fire protection to the said protection district, and it further agrees that it and its members will promptly respond to any and all fires occurring in said district and to thebest of its ability will extinguish such fires and prevent the loss of life and injury to person or property therefrom.

In consideration of providing said service to said Fire Protection District No. 3 the Town of Cheektowaga will pay on behalf of the South Line Volunteer Fire Company, the sum of five thousand dollars (\$5,000.00) a year for a period of one (1) year, commencing January 1, 1963 and ending December 31, 1963, that there shall be levied against all property located within the limits of Fire Protection District No. 3 an assessment to pay the cost of said fire protection and the payment of said money to the South Line Volunteer Fire Company shall be made on March 1, 1963.

Dated: July 16, 1962

BY ORDER OF THE TOWN BOARD OF THE  
TOWN OF CHEEKTOWAGA, NEW YORK.

\_\_\_\_\_  
Kenneth T. Hanley  
Town Clerk

Posted as follows on the 23rd day of July 1962:

- 1-Telephone pole No. 42 on Losson Road;
- 2-Telephone pole No. 252 on Borden Road;
- 3-South Line Fire Hall, French Road;
- 4-Telephone pole No. 66 on French Road;
- 5-Telephone pole No. 4 on Azalea Drive.

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

(Affidavit on next page)

42  
22

STATE OF NEW YORK  
COUNTY OF ERIE

} ss.:

**NOTICE OF PUBLIC MEETING**  
To provide fire protection  
Fire Protection District  
Town of Cheektowaga

Following the picnic, there was an impressive Eagle Award ceremony for Warren Canfield. This is the second such award presentation in the Troop this year. Honored guests who participated in the program were Robert Moore, Neighborhood Commissioner, Elliott District; and James Welton, Elliott's Advance Chairman. The picnic was held at Corners Park. Boy Scout Troop 567, sponsored by Depew Methodist Church, held its annual family picnic Monday evening at Corners Park.

**Troop 567 Has Picnic And Makes Awards**

**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 July, 1962, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

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

**JUL 21 1962**, 19\_\_\_\_

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

STATE OF NEW YORK  
COUNTY OF ERIE

**NOTICE OF PUBLIC HEARING**  
To provide fire protection  
Fire Protection District  
Town of Cheektowaga,  
York.

**NOTICE IS HEREBY GIVEN**  
that there will be a public  
hearing by the Town Board of the  
Town of Cheektowaga, New  
York, at the Town Hall, corner  
Union Road and Broadway,  
Cheektowaga, New York, on the  
10th day of August, 1962, at 2:30  
o'clock P. M., Eastern Daylight  
Saving Time, for the purpose of  
considering the advisability of  
entering into a new contract  
with the South Line Volunteer

Fire Company, a corporation  
organized under the membership  
laws of the State of New York,  
having its office at their Fire  
House on French Road, Cheek-  
towaga, New York, for the fur-  
nishing of fire protection to  
Fire Protection District No. 3  
as described as follows:

**THAT TRACT OR PAR-  
CELS OF LAND**, situate in the  
Town of Cheektowaga, County  
of Erie and State of New  
York, being Farm Lots Nos.  
82 to 86 inclusive, Farm Lots  
87 to 97 inclusive and Farm  
Lots Nos. 105 to 113 inclusive  
of Township 10, Range 7 of  
the Holland Land Company's  
survey.

and the hearing of persons in-  
terested in the subject there-  
of concerning the same. That  
the terms of said contract to be  
considered at such public hear-  
ing are substantially as follows:

**TERMS OF CONTRACT**  
The South Line Volunteer  
Fire Company agrees that it has  
adequate and suitable fire fight-  
ing apparatus and equipment as  
well as sufficient membership  
and personnel to enable it to  
furnish suitable, prompt and  
adequate fire protection to the  
said Fire Protection District No.

The South Line Volunteer  
Fire Company agrees that it will  
throughout term of the contract  
furnish adequate, suitable and  
prompt fire protection to the  
said protection district, and it  
further agrees that it and its  
members will promptly respond  
to any and all fires occurring in  
said district and to the best of  
its ability will extinguish such  
fires and prevent the loss of life  
and injury to persons or prop-  
erty therefrom.

In consideration of providing  
said service to said Fire Pro-  
tection District No. 3 the Town  
of Cheektowaga will pay on be-  
half of the South Line Volun-  
teer Fire Company, the sum of  
five thousand dollars (\$5,000.00)  
a year for a period of one (1)  
year, commencing January 1,  
1963 and ending December 31,  
1963, that there shall be levied  
against all property located  
within the limits of Fire Pro-  
tection District No. 3 an assess-  
ment to pay the cost of said  
fire protection and the payment  
of said money to the South Line  
Volunteer Fire Company shall  
be made on March 1st, 1963.

Dated: July 16, 1962.

BY ORDER OF THE TOWN  
BOARD OF THE TOWN OF  
CHEEKTOWAGA, NEW YORK  
KENNETH T. HANLEY,  
Town Clerk

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

WHEREAS, a written petition was duly filed with this Town Board on July 16, 1962, requesting the construction of a lateral sewer in that portion of the east side of Union Road extending from Georing Avenue, south approximately 1110 feet towards Walden Avenue to the south lot line of Sublot 29, designed to serve the properties abutting on the east side of said portion of Union Road, and

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

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

WHEREAS, the maximum amount proposed to be expended for the improvement of said portion of said highway, as stated in the petition, is the sum of Eleven Thousand, Five Hundred Dollars (\$11,500.00),

NOW, THEREFORE,

BE IT RESOLVED, pursuant to the provisions of Section 199 of the Town Law of the State of New York, it is hereby

ORDERED, that the Town Board of the Town of Cheektowaga, Erie County, New York, shall meet at the Town Hall, corner of Broadway and Union Road in said Town, on the 6th day of August, 1962, at 2:30 o'clock P.M., Eastern Daylight Saving Time, for the purpose of considering the said petition and hearing all persons interested in the subject thereof concerning the same, and it is hereby further

RESOLVED AND ORDERED, that the Town Clerk be and he hereby is ORDERED AND DIRECTED to publish a certified copy of this resolution and order in the DEPEW HERALD AND CHEEKTOWAGA NEWS, a newspaper published in said Town and having a general circulation in the Township, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that on or before said date, he post conspicuously or cause to be posted conspicuously, certified copies of this order in five (5) public places along said portion of said highway to be improved.

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

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

AYES: -7-

NOES: -0-

ABSENT: -0-

Posted as follows on the 20th day of July, 1962:

- 1-Telephone pole No. 315-1 on Union Road;
- 2-Telephone pole in front of No. 3507 Union Road;
- 3-Telephone pole No. 276-1 on Union Road;
- 4-Telephone pole No. 274-1 on Union Road;
- 5-Telephone pole No. 273-1 on Union Road.

Item No. 20-Cont'd

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

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



he declared.  
suit I don't believe I can win."  
don't believe in starting a law-  
to just scare the Authority. "I  
He said he didn't plan to try  
prove the airport. We can only  
attack on the basis of establish-  
ing the fact that jet operation  
here will endanger safety and  
health."  
port Authority."  
ened," Mr. Katche said, "we  
"Until the health and safe-  
the Town Board and inter-  
uld allow the use of jet air-  
y to oppose effectively the  
s done nothing yet to give

st

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 19<sup>th</sup> day  
of July, 1962, and the last inser-  
tion being on the \_\_\_\_\_ day of \_\_\_\_\_,  
19\_\_\_\_, and that not more than six days intervened  
between any two publications thereof.

*Richard G. Bennett*

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

JUL 21 1962, 19\_\_\_\_

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

Item No. 20-Cont'd

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

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

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 16th day of July, 1962 at 7:30 o'clock P.M., Eastern Daylight Saving Time, there were:

PRESENT:

- Benedict T. Holtz, Supervisor
- Paul T. Wroblewski, Councilman
- Stanley R. Bystrak, Councilman
- Joseph Fath, Councilman
- Joseph Trojanoski, Councilman
- Joseph Kornecki, Councilman
- Michael J. Kaczmarek, Councilman

ABSENT: 0

Councilman Trojanoski presented the following resolution and moved its adoption:

WHEREAS, a written petition was duly filed with this Town Board on July 16, 1962, requesting the construction of a lateral alley in that portion of the east side of Union Road extending from Scoring Avenue, south approximately 1010 feet towards Scoring Avenue to the south line of Sublot 29, designed to serve the properties abutting on the east side of said portion of Union Road, and

WHEREAS, it duly appears that such petition has been duly signed by owners of real estate fronting or abutting on said portion of said public highway, owning at least one-half of the frontage or bounds on said portion of said public highway to be improved as aforesaid, and by resident owners owning not less than one-half of the frontage owned by resident owners fronting along said portion of said highway proposed to be improved, and

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

WHEREAS, the maximum amount proposed to be expended for the improvement of said portion of said highway, as stated in the petition, is the sum of Eleven Thousand, Five Hundred Dollars (\$11,500.00).

NOW, THEREFORE,

BE IT RESOLVED, pursuant to the provisions of Section 190 of the Town Law of the State of New York, it is hereby

ORDERED, that the Town Board of the Town of Cheektowaga, Erie County, New York, shall meet at the Town Hall, corner of Broadway and Union Road in said Town, on the 6th day of August, 1962, at 2:30 o'clock P.M., Eastern Daylight Saving Time, for the purpose of considering the said petition and hearing all persons interested in the subject thereof concerning the same, and it is hereby further

RESOLVED AND ORDERED, that the Town Clerk be and he hereby is ORDERED AND DIRECTED to publish a certified copy of this resolution and order in the DEPEW HERALD AND CHEEKTOWAGA NEWS, a newspaper published in said Town and having a general circulation in the Township, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that on or before said date, he post conspicuously or cause to be posted conspicuously, certified copies of this order in five (5) public places along said portion of said highway to be improved.

G. BENNETT

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

AYES: 7, NOES: 0, ABSENT: 0

State of New York )  
County of Erie )

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on July 16, 1962, and minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at page No. A-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 16th day of July, 1962.

KENNETH T. HANLEY  
Town Clerk

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

WHEREAS, an application has been made to this Board by Niagara Frontier Transit System, Inc. for consent to operate buses over, upon and along certain public highways of the Town, namely:

ON Clinton Street BETWEEN the westerly Town Line and the easterly Town Line at Cayuga Creek,

NOW, THEREFORE, be it

RESOLVED, that a public hearing on such application be held on the 6th day of August, 1962, at 2:30 o'clock P.M., Eastern Daylight Saving Time, in the Town Hall, corner of Broadway and Union Road in said Town, and that a notice of the time and place of such hearing be published in the Depew Herald-Cheektowaga News, a newspaper having a general circulation in said Town, at least ten days before the meeting, such notice to be as follows:

NOTICE OF HEARING ON CONSENT TO OPERATION OF BUSES

NOTICE IS HEREBY GIVEN that an application has been made to the Town Board of Cheektowaga by Niagara Frontier Transit System, Inc. for consent to operate buses over, upon and along certain public highways of the Town, to wit:

On Clinton Street BETWEEN the westerly Town Line and the easterly Town Line at Cayuga Creek

and pursuant to Section 66 of the Transportation Corporations Law and Section 64 of the Town Law, and a resolution duly adopted by this Town Board, a public hearing will be held upon such application, in the Town Hall, corner of Broadway and Union Road in said Town, on the 6th day of August, 1962, at 2:30 o'clock P.M., Eastern Daylight Saving Time, at which time and place all persons interested in said application will be heard:

Dated: July 16, 1962.

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

13  
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Seconded by Councilman Bystrak and duly put to a vote which resulted as follows:

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

AYES: -7-

NOES: -0-

ABSENT: -0-

Posted as follows on the 21st day of July, 1962:

Town Hall Bulletin Board.

Hereto attached is a copy of the Notice published in the Depew Herald & Cheektowaga News.

(Affidavit on Next Page)

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

**NOTICE IS HEREBY GIVEN**  
that an application has been made to the Town Board of the Town of Cheektowaga by Niagara Frontier Transit System, Inc. for consent to operate buses over, upon and along certain public highways of the Town, to wit:

On Clinton Street BETWEEN the westerly Town Line and the easterly Town Line at Cayuga Creek

and pursuant to Section 63 of the Transportation Corporations Law and Section 64 of the Town Law, and a resolution duly adopted by this Town Board, a public hearing will be held upon such application, in the Town Hall, corner of Broadway and Union Road in said Town, on the 6th day of August, 1962, at 2:30 o'clock P.M., Eastern Daylight Saving Time, at which time and place all persons interested in said application will be heard.

Dated: July 16, 1962

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

**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 July, 1962, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

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

July 21 1962, 19\_\_\_\_  
*Benjamin T. Hanley*  
Notary Public in and for Erie County

The State Department of Audit and Control, Albany, New York

Item No. 22 Councilman Kaczmarek presented the following resolution and moved its adoption:

WHEREAS, the Board of Education of Central School District No. 1 of the Town of Cheektowaga, Erie County, New York, has requested this Town Board to agree to reimburse or directly pay the necessary expenses of submitting to the voters of the said School District a proposition authorizing conveyance to the Town of Cheektowaga of a portion of the Union Road school site to be used by the Town as a public library, with certain reservations, restrictions, and reverter, the exact terms of which the Board of Education has not as yet decided upon, and

WHEREAS, it is in the public interest for the Town to agree to reimburse and pay for such expense; NOW, THEREFORE,

BE IT RESOLVED, that all necessary expenses involved in a special district meeting of the voters of Central School District No. 1 of this Town to vote on the above referred to proposition, including costs of advertising, surveying, etc., shall be paid for by the Town of Cheektowaga.

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

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

AYES: -7-

NOES: -0-

ABSENT: -0-

21  
44

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

WHEREAS, the Town Board, having deemed it advisable that Bellevue Fire District No. 9 of the Town of Cheektowaga be established to include the territory situated in such Town and hereinafter described, and a public hearing, following due notice, having been duly held on May 7, 1962 at the Town Hall, corner of Broadway and Union Road in said Town, by the Town Board of said Town, to hear all persons interested in the matter of the establishment of said Fire District, and this Town Board having by resolution duly adopted on May 7, 1962, following the said public hearing and upon the evidence given thereat, duly determined that it was in the public interest to establish Bellevue Fire District No. 9 to include the territory hereinafter described, that all of the property, property owners, and interested persons within the boundaries of the proposed Fire District are benefited thereby and that all of the property and property owners benefited are included within the boundaries of the proposed Fire District, and duly resolved to establish such Fire District to embrace the territory hereinafter described, subject, however, to the approval of the State Comptroller, and the Town Clerk of the Town having duly filed a certified copy of such resolution, in duplicate, in the office of the State Department of Audit and Control at Albany, New York, together with an application in due form and duly executed, in duplicate, for permission to establish such district, and the State Comptroller having made an order, in duplicate, under date of June 27, 1962, granting permission for the establishment of the District, one copy of such order having heretofore been filed in the office of the State Department of Audit and Control at Albany, New York, and the other copy thereof filed in the office of the Town Clerk of this Town, and the Town Clerk having duly presented such order to this Town Board; NOW, THEREFORE,

BE IT RESOLVED AND ORDERED, that the said proposed fire district to be known as Bellevue Fire District No. 9, be and it hereby

Item No. 23-Cont'd

is established, to embrace the territory described in and containing the following boundaries, to wit:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being parts of Township 10, Range 7 of the Buffalo Creek Reservation and Township 11, Range 7 of the Holland Land Company's Survey, and bounded and described as follows:

COMMENCING at the point of intersection of the north line of the Buffalo Creek reservation with the center line of Union Road; thence westerly along the said north line of the Buffalo Creek Reservation, eight hundred thirty-eight (838) feet, more or less, to the west line extended southerly of the subdivided lands shown on Cover of Maps 527 filed in the Erie County Clerk's office; thence northerly along the said extended west line and the said west line of the subdivided lands shown on said Cover of Maps 527, to the south line of the right-of-way of the Lehigh Valley Railroad, thence northeasterly along said right-of-way of the Lehigh Valley Railroad to a west line of the Village of Depew; thence following the boundary lines of the Village of Depew, southerly, thence easterly, thence southerly and thence easterly to the point of intersection of a south line of the Village of Depew with the center line of Transit Road; thence southerly along the center line of Transit Road to the north line of the Buffalo Creek Reservation; thence westerly along the north line of the Buffalo Creek Reservation to the northeast corner of Farm Lot No. 57, Township 10, Range 7; thence southerly along the east line of said Farm Lot No. 57 to the southeast corner of said Farm Lot No. 57; thence westerly along the south lines of Farm Lots Nos. 57, 58, 59 and 60, Township 10, Range, 7 of the Buffalo Creek Reservation, to the northeast corner of Farm Lot No. 87, Township 10, Range 7 of the Buffalo Creek Reservation; thence southerly along the east lines of Farm Lots Nos. 87 and 88, Township 10, Range 7 of the Buffalo Creek Reservation, to the southeast corner of said Farm Lot No. 88; thence westerly along the south line of said Farm Lot No. 88 to the southwest corner of said Farm Lot No. 88; thence northerly along the west lines of said Farm Lots Nos. 87 and 88 to the center of Cayuga Creek; thence northerly and easterly along the center of Cayuga Creek to the center line of Union Road; thence northerly along the center line of Union Road to the point or place of beginning.

AND IT IS FURTHER ORDERED, that the Town Clerk shall cause a certified copy of this resolution and order to be duly recorded in the office of the Clerk of the County of Erie, New York, and shall likewise cause a certified copy thereof to be duly filed in the office of the State Department of Audit and Control at Albany, New York.

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

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

AYES: -7-

NOES: -0-

ABSENT: -0-

22  
42

Item No. 24 Moved by Councilman Wroblewski, and seconded by Councilman Kornecki, that the Town Clerk be authorized and directed to issue building permits on applications approved by the Building Inspector in his communication dated July 16, 1962, except the application of Henri's Drive In Restaurant to construct a building on the north-west corner of Kensington Avenue and Century Road.

AYES: -7-

Item No. 25 The following resolution was moved by Councilman Kornecki and seconded by Councilman Bystrak:

That the following claims be approved as presented:

General Fund	Nos. 6347 Nos.	to 6395 to	inclusive inclusive
Highway Fund	Nos. 1910 Nos.	to 1936 to	inclusive inclusive
Special Districts	Nos. 2509 Nos.	to 2535 to	inclusive inclusive
Town Fund	Nos. 761	to 768	inclusive
C & I	Nos. 367	to 3 72	inclusive
TAX	Nos.		
Health	Nos.		

AYES: -7-

NOES: -0-

ABSENT: -0-

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Item No. 26 Mr. Frank G. Raichle, Attorney at Law, was introduced to the Board and the Town Attorney read the following communication from the firm of Raichle, Moore, Banning and Weis in relation to the proposed use at the Greater Buffalo International Airport for jet planes:

Raichle, Moore, Banning and Weiss

Frank G. Raichle  
James O. Moore, Jr.  
Derrick C. Banning  
Arnold Weiss  
David C. Diefendorf  
Ralph L. Halpern

Law Offices

10 Lafayette Square

TL 2-7547

Buffalo 3, New York

Kenneth W. Kitzinger  
Town Attorney, Town of Cheektowaga  
609-611 Walbridge Building  
Buffalo 2, New York

Dear Sir:

During the past many weeks you have been consulting with us with respect to the rights and available remedies of the Town of Cheektowaga in the situation presented by the proposed extension and modification of the runways of the Greater Buffalo International Airport to accommodate and thereafter permit the use of jet aircraft by the airlines using such airport. Among other things you have asked out opinion with respect to the legal capacity of the Town of Cheektowaga to bring an action to restrain and abate a public nuisance.

It is our considered opinion that the Town of Cheektowaga does have legal capacity to sue to restrain and/or abate a public nuisance if one exists or is imminently threatened. Whatever doubt may have existed with respect to the capacity of a town to bring such an action seems to have been laid to rest by the decision of the Court of Appeals in the case of New York Trap Rock Corp. vs. Town of Clarkston, 299 N.Y. 77. In that case the Court of Appeals pointed out that a town is given broad and drastic powers relating to the suppression of nuisances affecting the public health, safety, morals and general welfare of the community. See also Town Law, Section 130, Subdivision 15. In the case to which we are referring the Court of Appeals squarely held that in the exercise of such power, and especially if there be any doubt, the Town Board should

Item No. 26-Cont'd

proceed by action to restrain or abate the nuisance rather than to resort to more drastic proceedings.

We now pass to the question of whether or not the proposed use of the Greater Buffalo International Airport by jet aircraft will constitute a nuisance of a kind and character which can be restrained by the courts. In this connection it should be kept in mind that an airport is not a nuisance per se, although it may become such from the manner of its construction or operation. Aviation is a lawful business affected with a public interest. Accordingly mere inconvenience and annoyance incident to the ordinary and necessary use of an airport can hardly be said to be a nuisance and those residing near the airport can no more complain of mere inconvenience resulting from its use than can those residing near a railroad yard complain of the noises of locomotives, rumblings or cars, vibrations produced and smoke and cinders which result from the ordinary, and therefore proper, use and operation of such a yard. On the other hand, an airport authority or a municipality cannot, under the guise of performing a governmental function, create a nuisance dangerous to life and health. For example, the maintenance of a sewerage and drainage system of a municipality is a proper governmental function but a municipality cannot lawfully create in connection therewith a situation dangerous to life and health. From these considerations it is apparent that one claiming that the operation of jet aircraft at the Greater Buffalo International Airport constitutes a public nuisance must carry the burden of establishing that such use actually endangers the health and safety of the community. In this connection such matters as low-flying planes creating a hazard to those in the take-off or approach lanes is an important consideration. If the airport is so located or so constructed as to occasion hazard for the safety of those so placed in jeopardy it may well be that a showing of danger to life and limb is so great that the nuisance is apparent. The determination of this question of fact will depend upon the length of the runway and the minimum conditions of safety provided by procedures for take-off and approach. It would seem from the information at hand that the plans for extension of the runway do not permit of take-off and approach procedures which will permit minimum requirements of safety and that the proposed use of the airport by jet aircraft will actually endanger the health and safety of the community. If we are confirmed in this fact, an action on the part of the Town to restrain and abate the nuisance will, in our opinion, lie.

The matter of an action by a town to restrain or abate a nuisance is not to be confused with the right of an individual property owner to himself bring an action to restrain or abate the nuisance or to recover damages for the invasion of the air space superadjacent to his property, as decided by the United States Supreme Court on March 5, 1962 in the case of Griggs vs. County of Allegany.

We believe that it is important to bear in mind that mere rumors of a prospective nuisance will not justify the commencement of an action and that an action can be brought only to restrain a nuisance actually existent or imminently threatened. It would seem from the information at hand that an action at this time might be premature and that the same should abide the event of more definitive action on the part of the Niagara Frontier Port Authority. This matter will bear some further investigation. In this connection it should be remembered, however, that parties cannot slumber on their rights and that laches (unreasonable delay) will defeat an action to restrain or abate a nuisance. We are investigating the detail of all pending proposals with respect to construction and operation and are concerning ourselves with the take-off and landing procedures which may be prescribed.

You have also consulted with us concerning the situation presented by the proposed construction of a lighting system at the southwest approach to the airport which would be located on property now occupied by homes and in an area zoned for residential use. Obviously,

Item No. 26-Cont'd

if this construction itself constitutes a public nuisance, then what we have said in the previous paragraphs of the opinion is applicable to the proposed construction and may be restrained by an action maintained by the Town. There is an additional consideration. Section 269 of the Town Law reads in part as follows:

"Conflict with other laws.

Wherever the regulations made under authority of this article require a greater width or size of yards or courts, or require a lower height of building or less number of stories, or require a greater percentage of lot to be left unoccupied, or impose other higher standards than are required in any other statute or local ordinance or regulation, the provisions of the regulations made under authority of this article shall govern."

The Town has by its zoning regulations imposed a "higher" standard than that which would be required for the lighting system. Accordingly, there would be a conflict between Section 269 of the Town Law and the proposed construction of a lighting system. Since Section 269 of the Town Law by its title "Conflict with other laws" was plainly designed to resolve such a situation, it would appear that the zoning regulations present an important legal obstacle to be overcome by the Port Authority in its intended construction of a lighting system. While the courts have not been called upon to construe this section, it is our opinion, that the validity of the proposed action of the Port Authority should be tested against the plain wording of the section.

We are informed that the Federal Aviation Agency is contemplating a grant of approximately \$400,000 with which to acquire the property necessary for the construction of the lighting system. From our investigation of values it would appear that this sum is wholly adequate.

The foregoing is intended as an interim report and as our investigation develops further we will keep you informed.

Very truly yours,

/s/

RAICHLE, MOORE, BANNING AND WEISS

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Item No. 27 Referred to the Deputy Town Attorney the complaint of Councilman Trojanoski relating to the operation of Go Kart Racing in the Village of Depew,

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

SEAL

Kenneth T. Hanley, Town Clerk.

MEETING NO. 16

Cheektowaga, New York

August 6, 1962

Item No. 1 At a regular meeting of the Town Board of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 6th day of August 1962, at 2:30 p.m., E.D.S.T., there were:

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

ABSENT:	Joseph Kornecki	Councilman
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Also present were: Town Clerk Hanley; Town Attorney Kitzinger; Deputy Town Attorney Delahunt and Lieut. Graham.

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

Item No. 3 Ordered referred to the Chief of Police communication from the Board of Fire Commissioners, Doyle Fire District No.1, requesting the Board to take steps to have a building at the southeast corner of William and Glidden Street placed on the "Fire Hazard" list and that something be done to quiet down the unrestful situation in this area in case of fire. 18  
22

Item No. 4 Referred to the Town Attorney communication from the Chief of Police relating to the purchase of a motorcycle for his department. 18  
18

Item No. 5 Referred to the Deputy Town Attorney communication from Mrs. Jeanne Heimerl relating to lot numbers 129 and 130 m-c 1546, located on the west side of Toelsin Road, offering same for sale to the town. 10  
13  
42

Item No. 6 Moved by Councilman Wroblewski, seconded by Councilman Kaczmarek, that the request of the Chief of Police to attend the 69th Annual Conference of the International Association of Chiefs of Police at St. Louis, Mo., on October 6th, 1962, to October 11, 1962, inclusive, be granted and that his reasonable expenses be a proper town charge. 18  
42

CARRIED: AYES: -6- ABSENT: -1-

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

WHEREAS, a written petition was duly filed with this Town Board for the improvement of both sides of Andres Place, extending from Genesee Street, southerly, approximately 1290 feet to Oriole Place, by the construction of a permanent pavement, together with the construction of curbs and the installation of receivers and all necessary underground drains, and said highway being a Town highway, and

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

WHEREAS, such petition was duly acknowledged or proved by

Item No. 7-Cont'd

all the signers in the same manner as a deed to be recorded, and

WHEREAS, the maximum amount proposed to be expended for the improvement of said highway as stated in the petition, is the sum of Thirty-Seven Thousand Dollars (\$37,000.00);

NOW, THEREFORE,

Pursuant to the provisions of Section 200 of the Town Law of the State of New York, it is hereby

ORDERED, that the Town Board of the Town of Cheektowaga, Erie County, New York, shall meet at the Town Hall, corner of Broadway and Union Road in said Town, on the 20th day of August, 1962, at 7:30 o'clock P.M., Eastern Daylight Saving Time, for the purpose of considering the said petition and hearing all persons interested in the subject thereof concerning the same, and

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

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

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

AYES: -6-

NOES: -0-

ABSENT: -1-

Posted as follows on the 9th day of August, 1962:

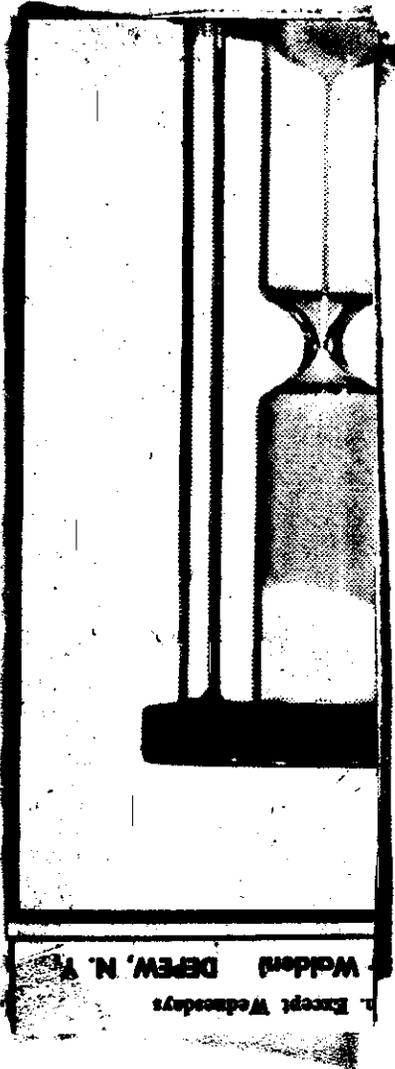
- 1-Post at the corner of Genesee Street and Andres Place;
- 2-Post on Andres Place 25 feet south of Genesee Street;
- 3-Post on Andres Place 50 feet south of Genesee Street;
- 4-Post on Andres Place 75 feet south of Genesee Street;
- 5-Post at the corner of Andres Place and Oriole Place.

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

(Affidavit on next page)

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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

<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 9th day of August, 1962, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

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

**AUG 14 1962**, 19\_\_\_\_

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

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

**EXTRACT FROM  
MINUTES OF TOWN BOARD  
Improve Andres Place**

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 August, 1962 at 7:30 o'clock P.M., Eastern Daylight Saving Time, there were:

**PRESENT:**  
Benedict T. Holtz, Supervisor  
Felix T. Wroblewski, Councilman  
Stanley R. Bystrak, Councilman  
Alvin Fath, Councilman  
Joseph Trojanoski, Councilman  
Michael J. Kaczmarek, Councilman

**ABSENT:**  
Joseph Kornecki, Councilman

Councilman Wroblewski presented the following resolution and moved its adoption:

**WHEREAS**, a written petition was duly filed with this Town Board for the improvement of both sides of Andres Place, extending from Genesee Street, southerly, approximately 1230 feet to Oriole Place, by the construction of a permanent pavement, together with the construction of curbs and the installation of receivers and all necessary underground drains, and said highway being a Town Highway, and

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

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

**WHEREAS**, the maximum amount proposed to be expended for the improvement of said highway as stated in the petition, is the sum of Thirty-Seven Thousand Dollars (\$37,000.00);

**THEREFORE**, Pursuant to the provisions of Section 200 of the Town Law of the State of New York, it is hereby

**ORDERED**, that the Town Board of the Town of Cheektowaga, Erie County, New York, shall meet at the Town Hall, corner of Broadway and Union Road in said Town, on the 20th day of August, 1962, at 7:30 o'clock P.M., Eastern Daylight Saving Time, for the purpose of considering the said petition and hearing all persons interested in the subject thereof concerning the same, and

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

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

Councilman Bystrak, Voting Aye

Councilman Fath, Voting Aye  
Councilman Trojanoski,

Councilman Kaczmarek, Voting Aye

AYES: 6, NOES: 0, ABSENT: 1

State of New York )  
County of Erie )

I, KENNETH T. HANLEY,

Town Clerk of the Town hereinafter described, DO HEREBY CERTIFY as follows:

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on August 6th, 1962, and minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at page No. A-26, 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 6th day of August, 1962.

KENNETH T. HANLEY,  
Town Clerk

D. G. BENNETT

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

WHEREAS, Thomas E. Delahunt, Deputy Town Attorney, has at the instance of the Town Board, and with the assistance of Nussbaumer, Clarke & Velzy, Consulting Engineers, prepared a map, plan and report providing for the extension of water District No. 8 of the Town of Cheektowaga, and said map, plan and report has been filed in the office of the Town Clerk, in accordance with Article 12-A of the Town Law, and

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

All that tract or parcel of land situate in the Town of Cheektowaga, County of Erie and State of New York, being more particularly described as follows: Beginning at the point of intersection of the easterly line of the New York Central Railroad right-of-way, which is also the east line of the existing district, with a north line of the Village of Depew, which is also the south line of the existing district. Running thence northerly and north-easterly along the said easterly line of the New York Central Railroad right-of-way to the westerly line of the Lehigh Valley Railroad right-of-way. Thence northerly along the westerly line of the Lehigh Valley Railroad right-of-way to the northerly line of the West Shore Railroad right-of-way. Thence easterly along the northerly line of the West Shore Railroad right-of-way to the easterly line of the Lehigh Valley Railroad right-of-way. Thence southerly along the easterly line of the Lehigh Valley Railroad right-of-way to a point formed by the intersection of a north line of the Village of Depew extended westerly. Thence easterly along said extended line to a north-west corner of the Village of Depew. Thence southerly along a westerly line of the Village of Depew to a north line of the Village of Depew. Thence westerly along a northerly line of the Village of Depew to the point or place of beginning.

WHEREAS, there is no expenditure of money required to finance the cost of the extension, and accordingly no issuance of bonds, notes, certificates, or other evidences of indebtedness, will be required, and no money is proposed to be expended for the performance or supplying of services, and

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

BE IT ORDERED by the Town Board of the Town of Cheektowaga that said Town Board shall meet at the Town Hall, corner of Broadway and Union Road in said Town, on the 20th day of August 1962 at 7:30 P.M. Eastern Daylight Saving Time, and hold a public hearing on the extension of said district, at which all persons interested in the subject thereof may be heard concerning the same.

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

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

Item No. 8-Cont'd

Seconded by Councilman T<sup>o</sup>janoski and duly put to a vote which resulted as follows:

Supervisor Holtz	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Fath	Voting AYE
Councilman T <sup>o</sup> janoski	Voting AYE
Councilman Kaczmarek	Voting AYE

AYES: -6-

ABSENT: -0-

Posted as follows on the 9th day of August, 1962:

- 1-Hy View Fire Hall-Hyland Avenue;
- 2-Telephone pole at the corner of Hyland Avenue and Airport Drive;
- 3-Telephone pole at the corner of Dean Road and Airport Drive;
- 4-Post 25 feet east of the New York Central Railroad on N.Y.State Realty and Terminal property;
- 5-Post 50 feet east of the New York Central Railroad on N.Y.State Realty and Terminal property.

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

(Affidavit on next page)

1  
29

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

Our Pet Show was also a huge success. There were many dogs present which served to create an interest in the Co. Chris H. Dolls, Marsha W., Florie R. Susie W., Marsha W., Baby N.; Most Unusual, Patty S. Cheryl M., Peggy D., Linda C., Patsy M.; Best Hairdo Best Dressed, Patsy M., Jane Carol G., Joyce S., Marsha M.; Cheryl K., Denise K.; Prettiest Florie R.; Funniest, Donna F. Marsha M., Marsha T., and Debbie G., Chris H.; Smallest. Winners: biggest, Bonnie K. Young "mothers" present success with more than 30 Our Doll Contest was a huge youngsters to the playground brought many enthusiastic a pet show. The two events was highlighted these past two weeks with a doll contest and The Northside Playground NORTHSIDE PLAYGROUND Boots, Shirley, Joanne, Ernie third in the 11-12 bracket bracket and Mike S. who took S., who took first in the 11-12



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 August, 1962, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

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

AUG 14 1962, 19\_\_\_\_

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

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

**EXTRACTS FROM MINUTES  
OF TOWN BOARD**

**Extension of Water District 8**  
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 August 1962, at 2:30 o'clock P.M. Eastern Daylight Saving Time, there were:

**PRESENT:**

Benedict T. Holtz, Supervisor  
Felix T. Wroblewski, Councilman  
Stanley R. Bystrak, Councilman  
Atanin Fath, Councilman  
Joseph Trojanoski, Councilman  
Michael J. Kaczmarek, Councilman

**ABSENT:**

Joseph Kornecki, Councilman  
Councilman Wroblewski presented the following resolution and moved its adoption:

**WHEREAS**, Thomas E. Delahunt, Deputy Town Attorney, has at the instance of the Town Board, and with the assistance of Nussbaumer, Clarke & Veiky, Consulting Engineers, prepared a map, plan and report providing for the extension of water District No. 8 of the Town of Cheektowaga, and said map, plan and report has been filed in the office of the Town Clerk, in accordance with Article 18-A of the Town Law, and

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

All that tract or parcel of land situate in the Town of Cheektowaga, County of Erie and State of New York, being more particularly described as follows: Beginning at the point of intersection of the easterly line of the New York Central Railroad right-of-way, which is also the east line of the existing district, with a north line of the Village of Depew, which is also the south line of the existing district. Running thence northerly and north-easterly along the said easterly line of the New York Central Railroad right-of-way to the westerly line of the Lehigh Valley Railroad right-of-way. Thence northerly along the westerly line of the Lehigh Valley Railroad right-of-way to the northerly line of the West Shore Railroad right-of-way. Thence easterly along the northerly line of the West Shore Railroad right-of-way to the easterly line of the Lehigh Valley Railroad right-of-way. Thence southerly along the easterly line of the Lehigh Valley Railroad right-of-way to a point formed by the intersection of a north line of the Village of Depew extended westerly. Thence easterly along said extended line to a northwest corner of the Village of Depew. Thence southerly along a westerly line of the Village of Depew to a north line of the Village of Depew. Thence westerly along a northerly line of the Village of Depew to the point or place of beginning.

**WHEREAS**, there is no expenditure of money required to finance the cost of the extension, and accordingly no issuance of bonds, notes, certificates, or other evidences of indebtedness, will be required, and no money is proposed to be expended for the performance or supplying of services, and

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

**BE IT ORDERED** by the Town Board of the Town of Cheektowaga that said Town Board shall meet at the Town Hall, corner of Broadway and Union Road in said Town, on the 20th day of August 1962 at 7:30 o'clock P.M. Eastern Daylight Saving Time, and hold a public hearing on the extension of said district, at which all persons interested

RICHARD G. BENNETT

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

erly line of the Village of Depew to a north line of the Village of Depew. Thence westerly along a northerly line of the Village of Depew to the point or place of beginning.

WHEREAS, there is no expenditure of money required to finance the cost of the extension, and accordingly no issuance of bonds, notes, certificates, or other evidences of indebtedness, will be required, and no money is proposed to be expended for the performance or supplying of services, and

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

BE IT ORDERED by the Town Board of the Town of Cheektowaga that said Town Board shall meet at the Town Hall, corner of Broadway and Union Road in said Town, on the 20th day of August 1962 at 7:30 o'clock P.M. Eastern Daylight Saving Time, and hold a public hearing on the extension of said district, at which all persons interested in the subject thereof may be heard concerning the same.

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

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

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

Councilman Bystrak,  
Voting Aye

RICHARD G. BENNETT

Councilman Pash, Voting Aye  
Councilman Trojanoski,  
Voting Aye  
Councilman Kaczmarek,  
Voting Aye

AYES: 6; NOES: 0; ABSENT: 1

State of New York )  
County of Erie )

I, KENNETH T. HANLEY,  
Town Clerk of the Town herein-  
after 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 6, 1962; and minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at page No. A-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 WHERE-  
OF, I have hereunto set  
(seal) my hand and have here-  
unto affixed the corpor-  
ate seal of said Town,  
this 6th day of August  
1962.

KENNETH T. HANLEY  
Town Clerk

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

WHEREAS, this Town Board has this day established Bellevue Fire District No. 9; NOW, THEREFORE,

BE IT RESOLVED, that pursuant to the provisions of Sub-division 1(a) of Section 174 of the Town Law the following are hereby appointed Fire District Commissioners of the said Bellevue Fire District No. 9, to hold office until December 31, 1962, to wit: Patrick Kearns, Franklin Rau, Stanley Rusiniak, Frank Gerspacher and Carl Greenauer, and be it further

RESOLVED, that Stanley Gorbett is hereby appointed Treasurer of said Bellevue Fire District No. 9, to hold office until December 31, 1962, their successors to be elected in accordance with the provisions of said Section 174 of the Town Law.

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

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

AYES: -6-

NOES: -0-

ABSENT: -1-

22  
42

Item No. 10 This being the time and the place advertised for a public hearing the application of the Niagara Frontier Transit System Inc., for consent to operate buses over, upon and along certain public highways of the Town of Cheektowaga, to wit:

ON CLINTON STREET BETWEEN THE WESTERLY TOWN LINE AND THE EASTERLY TOWN LINE AT CAYUGA CREEK ROAD

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

The Supervisor announced that the Board would hear all persons interested in the subject of the hearing, and not person appearing in opposition thereof, the Supervisor ordered the hearing closed and the following resolution offered and adopted.

15  
13

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

WHEREAS, a petition was filed with the Town Clerk of the Town of Cheektowaga, Erie County, New York asking for consent to Niagara Frontier Transit System, Inc., its successors and assigns, to operate buses over, upon and along a certain public highway of the Town; and

WHEREAS, the Town Clerk of the Town of Cheektowaga, New York, duly caused a notice of public hearing to be published in accordance with the law; and

WHEREAS, said public hearing was duly held pursuant thereto in the Town Hall of the Town of Cheektowaga, located at the corner of Broadway and Union Road in said Town, on August 6, 1962, and all persons interested were given an opportunity to be hear;

NOW, THEREFORE, be it

RESOLVED AND ORDERED, that the Niagara Frontier Transit System, Inc., its successors and assigns, are hereby granted consent to

Item No. 11-Cont'd

operate buses over, upon and along the following public highway of the Town of Cheektowaga, Erie County, New York, to wit:

ON Clinton Street BETWEEN the westerly Town Line and the easterly Town Line at Cayuga Creek.

The Grantee shall obey all rules and regulations of the Public Service Commission pertaining to the operation of the buses.

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

Supervisor Holtz	Voting AYE	
Councilman Wroblewski	Voting AYE	
Councilman Bystrak	Voting AYE	
Councilman Fath	Voting AYE	
Councilman Trojanoski	Voting AYE	
Councilman Kaczmarek	Voting AYE	13

AYES: -6-

NOES: -0-

ABSENT: -1- 17  
42

Item No. 12 This being the time and the place advertised for a public hearing for the purpose of constructing a lateral sanitary sewer in that portion of the east side of Union Road extending from Goering Avenue south approximately 1110 feet at an estimated cost of \$11,500.00.

The Town Clerk presented proof that the notice of hearing has been duly published and posted as required by law.

The Supervisor announced that the Board would hear all persons interested in the subject of the hearing and no person appearing in opposition thereof, the Supervisor ordered the hearing closed and the following resolution was offered and adopted. 24  
13

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

WHEREAS, a written petition was duly filed with this Board, requesting the improvement of that portion of the east side of Union Road extending from Goering Avenue, south approximately 1110 feet towards Walden Avenue to the south lot line of Sublot 29, by the construction of a lateral sewer in said portion of said highway, to serve properties abutting on the east side of said portion of Union Road to be so improved, and

WHEREAS, said petition was duly signed by owners of real estate fronting or abutting on said portion of said public highway, owning at least one-half of the frontage or bounds on said portion of said public highway to be improved as aforesaid, and by resident owners owning not less than one-half of the frontage owned by resident owners residing along said portion of said highway proposed to be improved, and

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

WHEREAS, at a meeting of the Town Board duly held on July 16, 1962, an order was duly adopted by it and entered in its minutes, reciting the filing of such petition, the improvement proposed, and the maximum amount proposed to be expended for the improvement as stated in the petition, to wit: the sum of Eleven Thousand, Five Hundred Dollars (\$11,500.00), and specifying that the said Town Board would meet to consider the petition and to hear all persons interested in the subject thereof concerning the same, at the Town Hall in the Town of Cheektowaga, New

Item No. 13-Cont'd

York on the 6th day of August, 1962, at 2:30 o'clock P.M., Eastern Daylight Saving Time, and

WHEREAS, the said order, duly certified by the Town Clerk, was duly published and posted as required by law, and

WHEREAS, a hearing was held by this Board at the place and on the date and at the time ~~before~~ before mentioned, and at such time and place the said Town Board did duly consider the said petition and hear all persons interested;

NOW, THEREFORE, after such hearing and upon the evidence given thereat and pursuant to the provisions of the Town Law of the State of New York, it is hereby

RESOLVED, that this Board determine that it is in the public interest to make the improvement petitioned for, to wit: the construction of lateral sewer in that portion of the east side of Union Road extending from Georing Avenue, south approximately 1110 feet towards Walden Avenue to the south lot line of Sublot 29, to serve the properties abutting on the east side of said portion of Union Road to be so improved, and it is further

RESOLVED, that Nussbaumer, Clarke & Velzy, Consulting Engineers of the Town of Cheektowaga, shall survey said portion of said highway proposed to be improved, and establish the lines and grades thereof and file in the Town Clerk's Office a survey and profile of said portion of said highway, and it is further

RESOLVED, that said Nussbaumer, Clarke & Velzy, Consulting Engineers, shall prepare definite plans and specifications and make a careful estimate of the expense, and with the assistance of the Town Attorney, shall prepare a proposed contract for the execution of the work, and that such plans and specifications, estimate and proposed contract shall be presented to this Board as soon as reasonable possible.

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

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

AYES: -6-

NOES: -0-

ABSENT: -1-

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ITEM No. 14 Councilman Trojanoski presented the following resolution and moved its adoption:

WHEREAS, the Town of Cheektowaga has requested easements from Diocese of Buffalo New York and Victoria Estates for sewer purposes on George Urban Blvd. in the Village of Depew and,

WHEREAS, the Diocese of Buffalo New York and the Victoria Estates have submitted signed easements accordingly the originals of which are attached hereto,

NOW THEREFORE, be it resolved that the supervisor be and he hereby be authorized and directed to execute said easements on the behalf of the Town of Cheektowaga and,

AND BE IT FURTHER resolved that the Town Attorney be directed record said easements in the Erie County Clerk's Office.

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

WHEREAS, the Town of Cheektowaga has requested easements from Diocese of Buffalo New York and Victoria Estates for sewer purposes on George Urban Blvd. in the Village of Depew and,

WHEREAS, the Diocese of Buffalo New York and The Victoria Estates have submitted signed easements accordingly the originals of which are attached hereto,

NOW THEREFORE, be it resolved that the supervisor be and he hereby be authorized and directed to execute said easements on the behalf of the Town of Cheektowaga, and,

AND BE IT FURTHER resolved that the Town Attorney be directed to record said easements in the Erie County Clerk's Office.

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

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

AYES: -6-

NOES: -0-

ABSENT: -1-

Dated: 8-6-62

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

WHEREAS, the Town of Cheektowaga has requested an easement from the New York State Electric and Gas Corporation for sewer purposes on George Urban Blvd. in the Village of Depew and,

WHEREAS, the New York State Electric and Gas Corporation has submitted a signed easement accordingly the original of which is attached hereto,

NOW THEREFORE, be it resolved that the supervisor be and he hereby is authorized and directed to execute said easement on behalf of the Town of Cheektowaga and,

BE IT FURTHER resolved that the Town Clerk be and here by is directed to submit the original copy of this easement to the New York State Electric and Gas Corporation for further handling.

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

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

AYES: -6-

NOES: -0-

ABSENT: -1-

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

WHEREAS, the Town of Cheektowaga requested an easement

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Item No. 16-Cont'd

from Loblaw Inc. for an extension to Sanitary Sewer District No. 7 and,  
WHEREAS, a signed easement has been received from Loblaw  
Inc.

NOW THEREFORE, be it resolved that the supervisor be and  
hereby is authorized and directed to execute the attached easement on  
behalf of the Town of Cheektowaga and,

BE IT further resolved that the Town Attorney be directed  
to record the original agreement in the Erie County Clerk's Office and,

BE IT further resolved that the Town Clerk submit certifi-  
ed copy of this agreement to Loblaw Inc.

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

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

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24  
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AYES: -6-

NOES: -0-

ABSENT: -1-

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

WHEREAS, the Superintendent of Highways has recommended  
that to this Board that he has inspected the following named highways  
and finds that they meet the specifications set forth by the Town of  
Cheektowaga:

Andres Place, the portion from Geo. Urban Blvd. to  
Oriole Place;  
Eden Lane a distance of 200 feet;

RESOLVED, that this Town Board does hereby accept the re-  
commendation of the Highway Superintendent and that the above named  
highways be accepted as town highways and that the same be maintained by  
the Highway Department of the Town of Cheektowaga, New York.

Seconded by Councilman Trojanoski.

13

AYES: -6-

ABSENT: -1-

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

WHEREAS, a certified eligible list for the position of  
Town Engineer has been received from the Erie County Personnel Officer,  
and as Albert J. Kamm, Cheektowaga, New York passed the  
examination for Town Engineer and appears first on the list,

BE IT RESOLVED, that Albert J. Kamm of  
Cheektowaga, New York be and he hereby is appointed Town Engineer of the  
Town of Cheektowaga effective immediately at an annual salary of  
\$10,000.00. Said appointment is pursuant to the Civil Service Law and  
the Rules and Regulations appurtenant thereto.

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

Item No. 18-Cont'd

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

AYES: -6-

NOES: -0-

ABSENT: -1-

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36  
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Dated August 6th, 1962.

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

RESOLVED, that the Highway Superintendent be authorized and directed to erect a snow-fence to act as a barricade on Toelson Road near drainage ditch to prevent possible injury to persons using the sidewalk in that vicinity.

13

Seconded by Councilman Wroblewski.

CARRIED: AYES: -6-

ABSENT: -1-

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

BE IT RESOLVED, that Edward Lelonek, licensed real estate broker of the State of New York, be and he hereby is engaged to make an appraisal of the property owned by John Di Pasquale located at the northeast corner of Carlton Fath, at the property owned by Bertv of Joseph Wozarczak, Jr. on such appraisals to be made in connection with the town board's study of branch library locations.

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

CARRIED: AYES: -6-

ABSENT: -1-

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42

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

WHEREAS, the Board of Fire Commissioners of Hy-View Fire District No. 8, Town of Cheektowaga, New York, has requested the installation of the following fire hydrants:

Northeast corner of Meadowlawn Road and Patrick Lane  
In front of No. 143 Lou Ann Drive  
In front of No. 175 Lou Ann Drive  
500 feet from 173 Diane Drive "west".

BE IT RESOLVED, that the above mentioned request be granted and that the Town Clerk be authorized and directed to mail a copy of this resolution to the Erie County Water Authority.

Seconded by Councilman Trojanoski.

CARRIED: AYES: -6-

ABSENT: -1-

22  
28

Item No. 22

Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, a petition for the improvement of both sides of the public highway situate in Consolidated Lighting District of the Town

Item No. 22-Cont'd

of Cheektowaga, hereinafter particularly set forth by the installation of street lighting equipment herinafter particularly described was presented to this Town Board on the 6th day of August, 1962.

Public Highways to be Improved

Freda Avenue from Tillotson Avenue to House Number 133 on Freda Avenue (837.75 feet)

Type of Street Lighting Installation

5 Y 19 Standards - 2500 lumen - Under Ground Conduit

WHEREAS, Edward B. Jerzewski, Andrew H. Schwenk, and Joseph Kistowski, assessors of said Town of Cheektowaga, have certified in writing to this Board that the abovepetition is duly signed and acknowledged in the samemanner as a deed to be recorded by the owners of more than one-half of the entire frontage or bounds on both sides of each of said highways to be improved, as aforesaid, and

WHEREAS, the portions of said highways to be improved are situated entirely in said Town outside of any incorporated village or city therein,

NOW THEREFORE, IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 20th day of August, 1962, at 7:30 p.m. tohear all persons interested in the subject thereof concerning the same, and

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

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

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

AYES: -6-

NOES: -0-

ABSENT: -1-

Posted as follows on the 9th day of August, 1962:

- 1-Post at the corner of Freda and Tillotson Avenue;
- 2-Post at the corner of Freda and Paradise Lane;
- 3-Post in front of No. 113 Freda Avenue;
- 4-Telephone pole No. 1 on Freda Avenue;
- 5-Post in front of No. 133 Freda Avenue.

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

(Affidavit on next page)

17  
27  
13

STATE OF NEW YORK

COUNTY OF ERIE

ss:

covered from sight, the installation shall be inspected and receive the approval of the Town Engineer. Before being approved all tanks and piping, both underground installations and tanks inside buildings, shall be tested in the presence of the Town Engineer prior to insertion in the ground, tanks shall be tested pneumo-hydrostatically to seven pounds pressure at the top of the tank. Tanks, fill pipes, vents, feed and return lines shall be tested pneumo-hydrostatically to seven pounds pressure at the top of the tank after insertion into the ground and prior to filling in; after filling in a third test shall be conducted as prescribed in section 5. (b) herein. Suction lines on system to be used in connection with flammable liquids having a flash point under 100 degrees F. shall be tested at fifty pounds pressure between the foot valve in the tank and the pump. The fill pipe and the vent lines shall remain open during the test of the suction line. Installations designed as pressure systems shall be tested to two times the maximum working pressure. Tests shall continue for sixty minutes without a noticeable drop in pressure or all joints shall be checked for leaks with soap

Notary Public in and for Erie County

*Kenneth T. ...*

AUG 14 1962

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

*Richard G. Bennett*  
between any two publications thereof

19 \_\_\_\_\_, and that not more than six days intervened  
tion being on the \_\_\_\_\_ day of \_\_\_\_\_

of \_\_\_\_\_, 1962, and the last inser-  
week, the first insertion being on the 9th day

serted and published therein once a week for \_\_\_\_\_

slip taken from said newspaper, is a copy, was in-  
New York, that notice of which the annexed printed

Cheektowaga and Lancaster, and published at Depew,  
a newspaper with general circulation in the Towns of

**Herald and News**  
Depew  
Cheektowaga

of the \_\_\_\_\_  
PUBLISHER

being duly sworn, deposes and says that he is the

**RICHARD G. BENNETT**

STATE OF NEW YORK  
COUNTY OF ERIE

**NOTICE OF HEARING**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, in said Town of Cheektowaga on the 6th day of August, 1962, at 2:30 o'clock p.m., Eastern Daylight Saving Time, there were

**PRESENT:**  
Benedict T. Holtz, Supervisor  
John T. Wroblewski,

Councilman  
Alvin M. Fath, Councilman  
Michael J. Kaczmarek,  
Councilman  
Joseph M. Trojanoski,  
Councilman  
Edward B. Bystrak, Councilman

**ABSENT:**  
Joseph Kornecki, Councilman  
Councilman Bystrak present  
at the following resolution and  
its adoption:

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

**Highways to be Improved**  
South Avenue from Tillotson  
Avenue to House Number 138  
at South Avenue (837.75 feet)  
**Type of Street Lighting**  
**Installation**

**NY 19 Standards—2500 Lumens—Under Ground Conduit**  
**WHEREAS**, Edward B. Jerzak, Andrew H. Schwenk, and Joseph Kistowski, assessors of said Town of Cheektowaga, have certified in writing to this Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage or bounds on both sides of each of said highways to be improved, as aforesaid, and

**WHEREAS**, the portions of said highways to be improved are situated entirely in said Town outside of any incorporated village or city therein,

**NOW, THEREFORE, IT IS HEREBY ORDERED** that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 20th day of August, 1962, at 7:30 p.m., to hear all persons interested in the subject thereof concerning the same, and

**IT IS FURTHER ORDERED** THAT a copy of this order, certified by the Town Clerk, be published at least once in the Depew Herald & Cheektowaga News, a newspaper having a general circulation in the Town, not less than ten (10) nor more

than twenty (20) days before the date set herein for the hearing aforesaid and that copies of this order be posted conspicuously in five public places on each of the said highways to be improved not less than ten (10) nor more than twenty (20) days before the day designated for the hearing as aforesaid.

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

Voting Aye  
Councilman Fath, Voting Aye  
Councilman Kaczmarek,

Voting Aye  
Councilman Trojanoski,

Voting Aye  
Councilman Bystrak,

Voting Aye  
**AYES: 6; NOES: 0; ABSENT: 1**

State of New York  
Erie County  
Office of the Clerk of the  
Town of Cheektowaga

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 6th day of August 1962, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 6th day of August 1962.  
KENNETH T. HANLEY  
Clerk of the Town Board, Town of Cheektowaga, N. Y.

G. BENNETT

es and says that he is the

ISHER

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

RESOLVED, that the Reynders Electric Company be authorized and directed to install a "Stop and Go" traffic signal at the intersection of Cayuga Creek Road and Henry Street, Cheektowaga, New York.

Seconded by Councilman Trojanoski.

CARRIED: AYES: -6-

ABSENT: -1-

41  
13

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

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

WHEREAS, the cost of the work and materials amounted to \$1,125.70.

BE IT RESOLVED, that the voucher of Straco, Inc. in the amount of \$1,125.70 to do the work and furnish the materials be approved and ordered paid.

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

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

AYES: -6-

NOES: -0-

ABSENT: -1-

6  
24

Item No. 25 Moved by Councilman Wroblewski, seconded by Councilman Trojanoski, that the Sub Division Map of Park Lane Sub Division Part I I, prepared by Krehbiel & Krehbiel, engineers, dated July 25, 1962, be approved and ordered filed in the office of the Board of Assessors.

AYES: -6-

ABSENT: -1-

30  
13

Item No. 26 The following resolution was offered by Councilman Trojanoski who moved its adoption, seconded by Councilman Wroblewski, to wit:

WHEREAS, construction of sidewalks pursuant to the sidewalk ordinance of the Town of Cheektowaga has been completed according to authorization; and

WHEREAS, a statement in detail showing the cost of said construction was duly filed in the office of the Town Clerk pursuant to Section 236 of the Town Law; and

WHEREAS, said statement was also entered in full upon the minutes of the Town Board; and

WHEREAS, the cost of the improvement shall be borne by local assessment upon the several lots or parcels of land especially benefited:

NOW, THEREFORE, BE IT RESOLVED, As follows:

Section 1. The Town Clerk shall file a certified copy thereof with the Assessors, accompanied by a certified copy of this re-

Item No. 26-Cont'd

solution of the Town Board specifying the property especially benefited by the improvement and directing the Assessors to apportion so much of the cost thereof upon the several lots and parcels of land so deemed benefited as shall be in just proportion to the amount of benefit which the improvement shall have conferred upon the same.

Section 2. The following property is hereby deemed to be especially benefited by the improvement:

Properties set forth in list on file in the Town Clerk's Office entitled "Town of Cheektowaga Sidewalk Construction No. 1 Year 1962".

Section 3. This order shall take effect immediately.

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

CARRIED: AYES: -6-

ABSENT: -1-

The resolution was thereupon declared duly adopted.

FROM: Albert J. Kamm, Town Engineer  
TO: Kenneth T. Hanley, Town Clerk  
SUBJECT: Notice of completion of improvement -

Pursuant to Section 236 of the Town Law, I herewith file in your office the following statement in detail showing the actual and complete cost of the above improvement:

Total cost of construction of sidewalks under contract with Built-Rite Construction Co.	\$50,938.58
Total cost of construction of sidewalks under contract with Castricone Construction Co.	<u>\$ 3,171.84</u>
TOTAL	<u>\$54,110.42</u>

Accordingly, therefore, this statement shall be entered in full in the minutes of the Town Board.

The cost of this improvement shall be borne by local assessment upon the several lots or parcels of land especially benefited. Therefore, you shall file a certified copy thereof with the Assessors, together with a certified copy of the resolution of the Town Board specifying the property especially benefited by the improvement. This resolution directs the Assessors to apportion so much of the cost thereof upon the several lots and parcels of land so deemed benefited as shall be in just proportion to the amount of benefit which the improvement shall have conferred upon the same.

/s/  
Albert J. Kamm  
Town Engineer

32  
25

Item No. 27 This being the time and the place advertised for the receiving of sealed proposals for furnishing all materials, tools, equipment, and together with all labor for the construction of approximately 2,257 lineal feet of 36 inch, 216 lineal feet of 24 inch, reinforced concrete storm sewer pipe on Ellsworth Drive Extension, and approximately 1,724 lineal feet of 24 inch, reinforced concrete storm sewer pipe on Barone Circle in Storm Drainage District No. 7.

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



TOWN OF CHEEKTOWAGA, N.Y.										
LINE NO.	DESCRIPTION	QUANTITY	UNIT	TOTAL	QUANTITY	UNIT	TOTAL	QUANTITY	TOTAL	
AL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL
54	172	20,428.32	23	57,440.00	20	21,360.00				
55	172	6,908.74	24	5,716.00	22	8,448.00				
56	182	10,117.32	24	12,984.00	23	12,190.00				
58	182	3,498.32	23	4,262.40	21	4,375.00				
73	118	2,541.24	18	3,888.00	14	3,024.00				
		43,514.4		37,999.40		51,397.00				
80	392	392.00	300	300.00	400	400.00				
80	392	2,744.00	300	2,100.00	400	2,800.00				
	25	275.00	25	275.00	40	4,400.00				
	2	5,000.00	3	6,250.00	3	7,500.00				
	4	1,040.00	5	1,300.00	5	1,300.00				
	3	840.00	8	2,240.00	10	2,800.00				
	5	500.00	12	1,200.00	40	4,000.00				
		1,500.00		2,000.00		500.00				
		1,843.00		2,200.00		5,000.00				
		57,647.12		75,864.40		80,097.00				
87	1123	19,739.44	18	3,086.00	14	2,178.00				
88	392	3,136.00	300	2,400.00	300	2,400.00				
88	3	1,200.00	250	1,000.00	3	1,300.00				
88	4	1,600.00	5	200.00	5	200.00				
88	4	200.00	5	250.00	5	300.00				
88	9	180.00	6	120.00	9	180.00				
88	1001	1.52	12	1,200.00	40	4,000.00				
88	8424	4,237.00	100	3,000.00	100	3,000.00				
		28,834.44		11,256.40		37,538.00				
		86,501.38		11,120.40		117,635.00				
AL	TRAVELERS OF HARTFORD		TRAVELERS INDEMNITY CO.		ST PAUL FIRE / MARINE INS. CO.					

\* DENOTES CORRECTED FIGURE

NUSSBAUMER CLARKE & VELD  
 BID TABULATION  
 STORM TRUNK SEWERS  
 ELLSWORTH DR & BARONE CIRCLE  
 DISTRICT NO 7  
 TOWN OF CHEEKTOWAGA  
 AUGUST 1962-NC-17617-A-98

Item No. 28 This being the time and the place advertised for a public hearing for the purchase from Nuncio Cardarelli and Gildo Baldassi of the hole in Lydia Lane easterly to the east line of Lou Ann Drive, a distance of 291 feet, for the sum of \$6,083.00, instead of constructing such facilities, the same having been installed by the said Nuncio Cardarelli and Gildo Baldassi prior to the said extension of Sewer District, and to provide for the use of vitrified tile instead of reinforced concrete pipe.

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

The Supervisor announced that the Board would hear all persons interested in the subject of the hearing, and no person appearing in opposition thereof, the Supervisor ordered the hearing closed and the following resolution offered and adopted.

Item No. 29 Councilman Wroblewski offered the following resolution and moved its adoption: 24  
4

WHEREAS, this Town Board has this day held a public hearing for the purpose of considering any objections which may be made to the proposed modification of the plan of sewerage of said District No. 7 of the Town of Cheektowaga in the area of said District covered by the extension thereof effected by resolution adopted by the Town Board on April 16, 1962, pursuant to Section 196 of the Town Law, and public notice of such hearing having been duly published, and no one appearing in opposition to such proposed modification; NOW, THEREFORE,

BE IT RESOLVED, that the plan of sewerage of Sewer District No. 7 of the Town of Cheektowaga as covered by the extension thereof referred to above, is hereby modified by providing for the purchase from Nuncio Cardarelli and Gildo Baldassi for the vitrified tile sewer main and appurtenances running from an existing manhole in Lydia Lane to the east line of Lou Ann Drive, a distance of 291 feet, for the sum of \$6,083.00, instead of constructing such facilities, and providing for the use of vitrified tile instead of reinforced concrete pipe therefor, and Nussbaumer, Clarke & Velzy, Consulting Engineers, are directed to file an amended map and profile in the Town Clerk's Office, showing such change, and be it further

RESOLVED, that the Supervisor shall pay to the said Nuncio Cardarelli and Gildo Baldassi the sum of \$6,083.00 upon their presenting to the Town an adequate conveyance of title to the aforesaid sewer main and appurtenances, and presenting proper voucher therefor. 24  
4

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

CARRIED: AYES: -6-

ABSENT: -1-

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

WHEREAS, this Town Board, at a meeting held 19 February 1962 adopted a resolution that the Town Board meet at the Town Hall corner of Broadway and Union Road, Cheektowaga, New York on the 6th day of March 1962 at 2:30 o'clock P.M. Eastern Standard Saving time, for the purpose of considering the advisability of adopting Local Ordinance No. 33 and

WHEREAS, notice of said public hearing was duly published and posted as required by law, notless then ten (10) nor more than twenty (20) days prior to the date of the hearing, as it is shown by the duly verified affidavits of publication and posting now on file in the Town Clerk's Office, and

WHEREAS, pursuant to said resolution, the Town Board of

Item No. 30-Cont'd

the Town of Cheektowaga, did meet on the 5th day of March, 1962, at the Town Hall in the said Town of Cheektowaga, for the purpose of considering the advisability of adopting an Underground Storage of Gasoline and other flammable liquids Ordinance No. 33 and

WHEREAS, an opportunity was afforded all persons interested in the subject matter to be heard and at the conclusion of said public hearing, the Town Board decided that it was in the public interest to adopt an Underground Storage of Gasoline and other Flammable Liquids Ordinance to be known as Local Ordinance No. 33 and provide as follows:

RESOLVED, That the following ordinance, to be known as Ordinance No. 33, of the Ordinance of the Town of Cheektowaga, Erie County, New York, be adopted pursuant to the provisions of Section 130, of the Town Law of the State of New York,

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

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

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

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

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

5. TESTS (a) Before an installation of underground storage tanks is covered from sight, the installation shall be inspected and receive the approval of the Town Engineer. Before being approved all tanks and piping, both underground installations and tanks inside buildings, shall be tested in the presence of the Town Engineer prior to insertion in the ground, tanks shall be tested pneumo-hydrostatically to seven pounds pressure at the top of the tank. Tanks, fill pipes, vents, feed and return lines shall be tested pneumo-hydrostatically to seven pounds pressure at the top of the tank after insertion into the ground and prior to filling in; after filling in a third test shall be conducted as prescribed in section 5 (b) herein. Suction lines on system to be used in connection with flammable liquids having a flash point under 100 degrees F. shall be tested at fifty pounds pressure between the foot valve in the tank and the pump. The fill pipe and the vent lines shall remain open during the test of the suction line. Installations designed as pressure systems shall be tested for sixty minutes without a noticeable drop

Item No. 30-Cont'd

in pressure or all joints shall be checked for leaks with soap suds. Pressure gauges used in connection with such tests shall have one-half pound graduations. All tests shall be provided by the owner, or persons in control of the equipment under the supervision of a person or persons having had at least five years experience conducting such tests, after having submitted proof of qualifications to the Town Engineer.

(b) The Town Health Officer may require tests, from time to time, on any installations when he shall have reason to believe the tank or its piping is defective. The following procedure is set forth for the testing of underground storage tanks; (1) The entire underground system including tanks and piping shall be filled with the product to within six inches of yard grade. During filling operation all stick line caps may be removed to observe product in stick line. (2) Completely seal the entire system by disconnection hoses from all pumps connected to the system and install plugs in all hose connections; Disconnect the air bleeder line from the air eliminator and install plugs on all pumps connected to the system; Install plugs in all but one gauge line connected to the system; Install plug in fill line box; Remove vent caps on vent lines and install pipe caps. (3) Install pressure gauge and valve on the stick line not previously plugged. Pressure gauge shall be one calibrated from zero (0) to fifteen pounds (15) with a face at least four inches in diameter is required. (4) Introduce air to the system at this stick line as required, until a minimum of five pounds and a maximum of ten pounds gauge pressure has attained. (5) Close valve, disconnect air line and install plug in valve. (6) The test shall be considered satisfactory provided there is no evidence of pressure dropping on the gauge after a period of thirty minutes.

6. PERMITS (a) No person shall install or replace an underground gasoline or other flammable liquids storage tank without obtaining a permit from the Town Clerk. The application shall be made in writing in duplicate to the Town Clerk and shall state the size of the tank and the capacity in gallons. Plans and specifications in duplicate shall be furnished with each application showing the location of each tank on the property with respect to property lines and streets, method of installation and location of pipe and ventilation. (b) Before any permit for construction or replacement of underground storage tanks may be issued, the Town Engineer shall not his approval on the application therefore. (c) The fee for a permit for the construction or replacement of each underground tank for the storage of gasoline or other flammable liquids shall be \$25.00. (d) An annual permit fee of \$5.00 for each underground gasoline or other flammable liquids for each calendar year, shall be paid to the Town Clerk on, or before, January 15th of each calendar year.

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

8. PENALTY FOR VIOLATIONS Any person, firm or corporation who shall violate any of the provisions of this ordinance shall be guilty of an offense, and upon conviction thereof, may be punished by

Item No. 30 Cont'd

by fine of not more than \$10.00 for the first offense, and by a fine of not more than \$25.00 for each subsequent offense. Each day that a violation of this ordinance is continued or permitted to exist shall constitute a separate offense punishable upon conviction in the manner prescribed in this section. A conviction for a violation hereof shall not preclude the revocation or suspension of a license or permit issued hereto.

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

10. ORDINANCE NOT APPLICABLE TO HEATING OIL The provisions of this ordinance shall not apply to the storage of heating oil for on-premises consumption.

11. EFFECTIVE DATE This ordinance shall take effect immediately.

BE IT RESOLVED, that a copy of this resolution, certified by the Town Clerk, shall be entered in the minutes and published at least once in the Depew Herald and Cheektowaga News, a newspaper having a general circulation in said town, and

That the Town Clerk post or cause to be posted conspicuously, on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution and affidavit of the publication and posting thereof shall be filed with the Town Clerk.

This ordinance shall take effect ten (10) days after such publication and posting, but such ordinance shall take effect from the date of its service as against a person served with a copy thereof certified by the Town Clerk under the corporate seal of the Town and showing the date of its passage and entry into the minutes.

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

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

AYES: -6-

NOES: -0-

ABSENT: -1-

Posted as follows on the 9th day of August, 1962:

1-Town Hall Bulletin Board.

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

(Affidavit on next page)

40



the Town of Cheektowaga, Erie County, New York.

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

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

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

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

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

(b) The Town Health Officer may require tests, from time to time, on any installation when he shall have reason to believe the tank or its piping is defective. The following procedure is set forth for the testing of underground storage tanks; (1) The entire underground system including tanks and piping shall be filled with the product to within six inches of yard grade. During filling operation all stick line caps may be removed to observe product in stick line. (2) Completely seal the entire system by disconnection hoses from all pumps connected to the system and install plugs in all hose connections; Disconnect the air bleeder line from air eliminator and install plugs on all pumps connected to the system; Install plugs in all but one gauge line connected to the system; Install plug in fill line box; Remove vent caps on vent lines and install pipe caps. (3) Install pressure gauge and valve on the stick line not previously plugged. Pressure gauge shall be one calibrated from zero (0) to fifteen pounds (15) with a face at least four inches in diameter is required. (4) Introduce air to the system at this stick line as required, until a minimum of five pounds and a maximum of ten pounds gauge pressure has attained. (5) Close valve, disconnect air line and install plug in valve. (6) The test shall be considered satisfactory provided there is no evidence of pressure dropping on the gauge after a period of thirty minutes.

**6. PERMITS** (a) No person shall install or replace an un-

storage tanks may be removed, the Town Engineer shall note his approval on the application therefore. (c) The fee for a permit for the construction or replacement of each underground tank for the storage of gasoline or other flammable liquids shall be \$25.00. (d) An annual permit fee of \$5.00 for each underground gasoline or other flammable liquids for each calendar year, shall be paid to the Town Clerk on, or before, January 15th of each calendar year.

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

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

mediately.  
**BE IT RESOLVED**, that a copy of this resolution, certified by the Town Clerk, shall be entered in the minutes and published at least once in the Depew Herald and Cheektowaga News, a newspaper having a general circulation in said town, and

That the Town Clerk post or cause to be posted conspicuously, on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution and affidavit of the publication and posting thereof shall be filed with the Town Clerk

This ordinance shall take effect ten (10) days after such publication and posting, but such ordinance shall take effect from the date of its service as against a person served with a copy thereof certified by the Town Clerk under the corporate seal of the Town and showing the date of its passage and entry into the minutes.

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

Voting Aye Councilman Bystrak, Voting Aye Councilman Trojanoski,

Voting Aye Councilman Wroblewski,

Voting Aye Councilman Fath, Voting Aye

AYES: 6; Noes: 0; ABSENT: 1

State of New York

Erie County

Office of the Clerk of the ss:

Town of Cheektowaga

This is to certify that I, KEN-

NETH T. HANLEY, Clerk of the Town of Cheektowaga, in the County of Erie, have compared the foregoing copy of resolution with the original now on file at this office, and which

## STATE OF NEW YORK COUNTY OF ERIE

### LEGAL NOTICE

#### Local Ordinance No. 33

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 6th day of August, 1962 2:30 o'clock P.M. Eastern Daylight Saving Time, there were

#### PRESENT:

Benedict Holtz, Supervisor  
Joseph Trojanoski, Councilman  
Alancia Fath, Councilman  
Michael Kaczmarek, Councilman  
Felix Wroblewski, Councilman  
Stanley Bystrak, Councilman

#### ABSENT:

Joseph Kornecki, Councilman  
Councilman Wroblewski presented the following resolution and moved its adoption:

**WHEREAS**, this Town Board, at a meeting held 19 February, 1962 adopted a resolution that the Town Board meet at the Town Hall corner of Broadway and Union Road, Cheektowaga, New York on the 6th day of March 1962 at 2:30 o'clock P.M. Eastern Standard Time, for the purpose of considering the advisability of adopting Local Ordinance No. 33 and

**WHEREAS**, notice of said public hearing was duly published and posted as required by law, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, as it is shown by the duly verified affidavits of publication and posting now on file in the Town Clerk's Office, and

**WHEREAS**, pursuant to said resolution, the Town Board of the Town of Cheektowaga, did meet on the 5th day of March 1962, at the Town Hall in the said Town of Cheektowaga, for the purpose of considering the advisability of adopting an Underground Storage of Gasoline and other flammable liquids Ordinance No. 33 and

**WHEREAS**, an opportunity was afforded all persons interested in the subject matter to be heard and at the conclusion of said public hearing, the Town Board decided that it was in the public interest to adopt an Underground Storage of Gasoline and other Flammable Liquids

installations of new underground storage tanks is to be undertaken without the prior approval of the Town Engineer and such construction is to be under the supervision of the Town Engineer.

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

(b) The Town Health Officer may require tests, from time to time, on any installation when he shall have reason to believe the tank or its piping is defective. The following procedure is set forth for the testing of underground storage tanks; (1) The entire underground system including tanks and piping shall be filled with the product to within six inches of yard grade. During filling operation all stick line caps may be removed to observe product in stick line. (2) Completely seal the entire system by disconnection hoses from all pumps connected to the system and install plugs in all hose connections; Disconnect the air bleeder line from air eliminator and install plugs on all pumps connected to the system; Install plugs in all but one gauge line connected to the system; Install plug in fill line box; Remove vent caps on vent lines and install pipe caps. (3) Install pressure gauge and valve on the stick line not previously plugged. Pressure gauge shall be one calibrated from zero (0) to fifteen pounds (15) with a face at least four inches in diameter is required. (4) Introduce air to the system at this stick line as required, until a minimum of five pounds and a maximum of ten pounds gauge pressure has attained. (5) Close valve, disconnect air line and install plug in valve. (6) The test shall be considered satisfactory provided there is no evidence of pressure dropping on the gauge after a period of thirty minutes.

6. PERMITS (a) No person shall install or replace an underground gasoline or other flammable liquids storage tank without obtaining a permit from the Town Clerk. The application shall be made in writing in duplicate to the Town Clerk and shall state the size of the tank and the capacity in gallons. Plans and specifications in duplicate shall be furnished with each application showing the location of each tank on the property with respect to property lines and streets, methods of installation and location of pipe and ventilation. (b) Before any permit for construction or

replacement of underground storage tanks may be issued, the Town Engineer shall note his approval on the application therefore. (c) The fee for a permit for the construction or replacement of each underground tank for the storage of gasoline or other flammable liquids shall be \$25.00. (d) An annual permit fee of \$5.00 for each underground gasoline or other flammable liquids for each calendar year, shall be paid to the Town Clerk on, or before, January 15th of each calendar year.

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

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

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

10. ORDINANCE NOT APPLICABLE TO HEATING OIL The provisions of this ordinance shall not apply to the storage of heating oil for on-premises consumption.

11. EFFECTIVE DATE This ordinance shall take effect immediately.

STATE OF NEW YORK  
COUNTY OF ERIE  
LEGAL NOTICE  
Local Ordinance No. 33

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 6th day of August, 1962 2:30 o'clock P.M. Eastern Daylight Saving Time, there were

**PRESENT:**  
Benedict Holtz, Supervisor  
Joseph Trojanoski, Councilman  
Alancin Fath, Councilman  
Michael Kaczmarek, Councilman  
Felix Wroblewski, Councilman  
Stanley Bystrak, Councilman

**ABSENT:**  
Joseph Kornecki, Councilman  
Councilman Wroblewski presented the following resolution and moved its adoption:

**WHEREAS**, this Town Board, at a meeting held 19 February, 1962 adopted a resolution that the Town Board meet at the Town Hall corner of Broadway and Union Road, Cheektowaga, New York on the 6th day of March 1962 at 2:30 o'clock P.M. Eastern Standard Time, for the purpose of considering the advisability of adopting Local Ordinance No. 33 and

**WHEREAS**, notice of said public hearing was duly published and posted as required by law, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, as it is shown by the duly verified affidavits of publication and posting now on file in the Town Clerk's Office, and

**WHEREAS**, pursuant to said resolution, the Town Board of the Town of Cheektowaga, did meet on the 5th day of March 1962, at the Town Hall in the said Town of Cheektowaga, for the purpose of considering the advisability of adopting an Underground Storage of Gasoline and other flammable liquids Ordinance No. 33 and

**WHEREAS**, an opportunity was afforded all persons interested in the subject matter to be heard and at the conclusion of said public hearing, the Town Board decided that it was in the public interest to adopt an Underground Storage of Gasoline and other Flammable Liquids Ordinance to be known as Local Ordinance No. 33 and provide as follows:

**RESOLVED:** That the following ordinance, to be known as Ordinance No. 33, of the Ordinance of the Town of Cheektowaga, Erie County, New York, be adopted pursuant to the provisions of Section 130, of the Town Law of the State of New York.

1. **TITLE** This ordinance shall be known as the Underground Storage of Gasoline and other flammable liquids Ordinance of

mediately.  
**BE IT RESOLVED**, that a copy of this resolution, certified by the Town Clerk, shall be entered in the minutes and published at least once in the Depew Herald and Cheektowaga News, a newspaper having a general circulation in said town, and

That the Town Clerk post or cause to be posted conspicuously, on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution and affidavit of the publication and posting thereof shall be filed with the Town Clerk

This ordinance shall take effect ten (10) days after such publication and posting, but such ordinance shall take effect from the date of its service as against a person served with a copy thereof certified by the Town Clerk under the corporate seal of the Town and showing the date of its passage and entry into the minutes.

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

Councilman Kaczmarek, Voting Aye  
Councilman Bystrak, Voting Aye  
Councilman Trojanoski,

Voting Aye  
Councilman Wroblewski,

Voting Aye  
Councilman Fath, Voting Aye

AYES: 6; Noes: 0; ABSENT: 1  
State of New York

Erie County  
Office of the Clerk of the ss:  
Town of Cheektowaga

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the County of Erie, have compared the foregoing copy of resolution with the original now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 6th day of August 1962, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 6th day of August 1962.  
KENNETH T. HANLEY  
Clerk of the Town Board, Town of Cheektowaga, N. Y.

Item No. 31 This being the time and the place advertised for a public hearing for the purposes of considering the advisability of entering into a new contract with the South Line Volunteer Fire Company, a corporation organized under the membership laws of the State of New York, having its office at their Fire Hall on French Road, Cheektowaga, New York, for the furnishing of fire protection to Fire Protection District No. 3.

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

The Supervisor announced that the Board would hear all persons interested in the subject of the hearing, and no person appearing in opposition thereof, the following resolution was offered and adopted.

Item No. 32 Councilman Kaczmarek presented the following resolution and moved its adoption:

WHEREAS, a Public Hearing was held on the 6th day of August 1962 for the purpose of entering into a contract with the South Line Volunteer Fire Company for fire protection for Fire District No. 3. A copy of which is attached hereto and,

WHEREAS, the Cheektowaga Town Board deems it advisable to enter into said contract.

NOW THEREFORE, be it resolved that the supervisor by and he hereby is authorized and directed to execute the attached agreement on behalf of the Town of Cheektowaga.

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

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

AYES: -6-                      NOES: -0-                      ABSENT: -1-                      22

Item No. 33 Moved by Councilman Trojanoski, seconded by Councilman Wroblewski, that the Town Clerk be authorized and directed to issue building permits on applications approved by the Building Inspector in his communication dated August 6th, 1962, except the application of Henry Drive In to construct a restaurant at the north-west corner of Kensington Avenue and Century Road.

CARRIED: AYES: -6-                      ABSENT: -1-                      25

Item No. 34 Moved by Councilman Fath and seconded by Councilman Bystrak, that the application to erect a Henry's Restaurant on the north-west corner of Kensington Avenue and Century Road, BE DENIED.

AYES: -6-                      ABSENT: -1-                      28

Item No. 35 The following resolution was moved by Councilman Bystrak and seconded by Councilman Wroblewski:

That the following claims be approved as presented:

General Fund	Nos. 6398	to 6494	inclusive
	Nos.	to	inclusive
Highway Fund	Nos. 1941	to 1972	inclusive
	Nos.	to	inclusive

Item No. 35 Cont'd

Special Districts	Nos. 2540	to 2585	inclusive
	Nos.	to	inclusive
Part Town Fund	NOS. 770	to 776 & 780	inclusive
C & I	Nos. 374, 379	to 385	inclusive
Tax	Nos.		
Health	Nos.		

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

Item No. 36      Ordered received and filed communication from the Cheek-  
 towaga Kiwanis Club relating to the display of the American Flag on  
 Primary Day. 6  
10  
42

Item No. 37      Moved by Councilman Fath, seconded by Councilman Wroblew-  
 ski, to adjourn.

Kenneth T. Hanley, Town Clerk

SEAL

Meeting No. 17

Cheektowaga, New York  
August 20, 1962

Item No. 1 As a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 20th day of August 1962, at 7:30 p.m., E.D.S.T., there were:

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

ABSENT:	Joseph Kornecki	Councilman
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Also present were: Town Clerk Hanley; Town Attorney Kitzinger; Deputy Town Attorney Delahunt and Town Engineer Kamm.

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

Item No. 3 Referred to the Town Attorney petition for the improvement of that portion of Union Road estending south from the West Shore Railroad approximately 715 feet by the construction of a lateral sanitary sewer in said highway.

Item No. 4 Ordered referred to the Library Committee communication from the Sloan Public Schools and a petition bearing the signatures of 550 names requesting that the Board consider the corner of William Street and Glidden Street for a Library.

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17  
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Item No. 5 Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, a petition for the improvement of both sides of the the public highway situate in Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 6th day of August, 1962.

PUBLIC HIGHWAYS TO BE IMPROVED: Constance Lane from Vern Lane 942 feet in an easterly direction to the East line of the property presently owned by Cayuga Masonry (house No. 25).

TYPE OF STREET LIGHTING INSTALLATION: 5 Y 19 standards - under ground conduit - 4000 lumen.

WHEREAS, Edward B. Jerzewski, Andrew H. Schwenk, and Joseph Kistowski, assessors of said Town of Cheektowaga, have certified in writing to this Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage or bounds on both sides of each of said highways to be improved, as aforesaid, and

WHEREAS, the portions of said highways to be improved are situated entirely in said Town outside of any incorporated village or city therein,

NOW THEREFORE, IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 10th day of September, 1962, at 2:30 p.m. to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED THAT a copy of this order, certified by the Town Clerk, be published at least once in the Depew Herald & Cheektowaga

Item No. 5 Cont'd

News, a newspaper having a general circulation in the Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing aforesaid and that copies of this order be posted conspicuously in five public places on each of the said highways to be improved not less than ten (10) nor more than (20) twenty days before the day designated for the hearing as aforesaid.

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

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

AYES: -6-

NOES: -0-

ABSENT: -1-

Posted as follows on the 29th day of August, 1962:

- 1-Post in front of No. 15 Constance Lane;
- 2-Post corner of Constance Lane and Little Lane;
- 3-Post corner of Constance Lane and Vern Lane, S.E. corner;
- 4-Post corner of Constance Lane and Vern Lane, N.E. corner;
- 5-Telephone Pole No.15 on Constance Lane.

HERETO attached is a copy of the notice published in the Depew Herald & Cheektowaga News:

(Affidavit on next page)

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STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

*Chester M. Krawczyk*

At a regular meeting of the  
Town Board of the Town of  
Cheektowaga, Erie County, New  
York, held at the Town Hall, in  
said Town of Cheektowaga on  
the 20th day of August, 1962, at  
7:30 o'clock p.m., Eastern Day-  
light Saving Time, there were

PRESENT:

Benedict T. Holtz, Supervisor  
Felix T. Wrobiewski,

Councilman

Alancin M. Fath, Councilman  
Michael J. Kaczmarek,

Councilman

Joseph M. Trojanoski,

Councilman

Stanley R. Bystrak, Councilman

ABSENT:

Joseph Kornecki, Councilman

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

WHEREAS, a petition for the  
improvement of both sides of  
the public highway situate in  
Consolidated Lighting District  
of the Town of Cheektowaga,  
hereinafter particularly set  
forth by the installation of  
street lighting equipment here-  
inafter particularly described  
was presented to this Town  
Board on the 6th day of August,  
1962.

Said Highways to be Improved

Commerce Lane from Vera  
Lane 500 feet in an easterly di-  
rection to the East line of the  
property presently owned by  
Cayuga Masonry (house No. 23).

Type of Street Lighting  
Installation

5 Y 10 standards — under-  
ground conduit—4000 lumen

WHEREAS, Edward B. Jer-  
zewski, Andrew H. Schwenk,  
and Joseph Kistowski, assessors  
of said Town of Cheektowaga,  
have certified in writing to this  
Board that the above petition is  
duly signed and acknowledged  
in the same manner as a deed  
to be recorded by the owners of  
more than one-half of the en-  
tire frontage or bounds on both  
sides of each of said highways  
to be improved, as aforesaid,  
and

WHEREAS, the portions of  
said highways to be improved  
are situated entirely in said  
Town outside of any incorpor-  
ated village or city therein,

NOW, THEREFORE, IT IS  
HEREBY ORDERED that the  
Town Board of the Town of  
Cheektowaga meet at the Town  
Hall in said Town of Cheektow-  
aga on the 10th day of Septem-  
ber, 1962, at 2:30 p.m. to hear  
all persons interested in the  
M. Brian Pawlik, Jim Kostelnik,

afor  
order be posted conspicuously  
in five public places on each of  
the said highways to be im-  
proved not less than ten (10)  
nor more than twenty (20) days  
before the day designated for  
the hearing as aforesaid.

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

Voting Aye

Councilman Fath, Voting Aye

Councilman Kaczmarek,

Voting Aye

Councilman Trojanoski,

Voting Aye

Councilman Bystrak,

Voting Aye

AYES: 6; NOES: 0; ABSENT: 1

State of New York

Erie County

Office of the Clerk of the ss:

Town of Cheektowaga

This is to certify that I, KEN-  
NETH T. HANLEY, Clerk of  
the Town of Cheektowaga, in the  
said County of Erie, have com-  
pared the foregoing copy of  
resolution with the original res-  
olution now on file at this of-  
fice, and which was passed by  
the Town Board of the Town of  
Cheektowaga in said County of  
Erie, on the 20th day of August  
1962, and that the same is a  
correct and true transcript of  
such original resolution and the  
whole thereof.

In Witness Whereof, I  
have hereunto set my  
hand and affixed the  
seal of said Town this  
20th day of August  
1962.

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

au23

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

WHEREAS, a petition for the improvement of both sides of the public situate in Consolidated Highway District of the Town of Cheektowaga, hereinafter particularly set forth by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 8th day of August 1962.

PUBLIC HIGHWAYS TO BE IMPROVED: Nadine Drive from Santin Drive to Santin Drive.

TYPE OF STREET LIGHTING INSTALLATION: 12 Y 19 standards - 4000 lumen - Under ground conduit.

WHEREAS, Edward B. Jerzewski, Andrew H. Schwenk, and Joseph Kistowski, assessors of said Town of Cheektowaga, have certified in writing to this Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage or bounds on both sides of each of said highways to be improved as aforesaid, and

WHEREAS, the portions of said highways to be improved are situated entirely in said Town outside of any incorporated village or city therein,

NOW, THEREFORE, IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 10th day of September, 1962, at 2:30 p.m., to hear all persons interested in the subject thereof concerning the same, and

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

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

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

AYES: -6-

NOES: -0-

ABSENT: -1-

Posted as follows on the 29th day of August, 1962:

- 1-Post at the corner of Nadine Drive and Santin Drive, west end;
- 2-Telephone pole No. 10-1 on Nadine Drive;
- 3-Post at the corner of Nadine Drive and Nagel Drive;
- 4-Post in front of No. 131 Nadine Drive;
- 5-Post at the corner of Nadine Drive and Santin Drive, east end.

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

(Affidavit on next page)

17  
27  
3

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for *one* week:  
first publication ..... AUG 23 1962 .....  
last publication ..... AUG 23 1962 .....  
and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

SEP 11 1962

day of ..... 19.....

*Eve J. Allis*

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

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

Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, in said Town of Cheektowaga on the 20th day of August, 1962, at 7:30 o'clock P.M., E. D. S. T., there were PRESENT:

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

ABSENT:  
JOSEPH KORNECKI  
Councilman

Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, a petition for the improvement of both sides of the public highway situate in Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 8th day of August, 1962.

**PUBLIC HIGHWAYS TO BE IMPROVED**

Nadine Drive from Santin Drive to Santin Drive

**TYPE OF STREET LIGHTING INSTALLATION**

12 Y 19 standards-4000 lumens—  
Under ground conduit

WHEREAS, Edward B. Jerzewski, Andrew H. Schwenk, and Joseph Kistowski, assessors of said Town of Cheektowaga, have certified in writing to this Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage or bounds on both sides of each of said highways to be improved, as aforesaid, and

WHEREAS, the portions of said highways to be improved are situated entirely in said Town outside of any incorporated village or city therein.

NOW, THEREFORE, IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 10th day of September, 1962, at 2:30 p.m., to hear all persons interested in the subject thereof.

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

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

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

AYES: 6 NOES: 0 ABSENT: 1  
STATE OF NEW YORK )  
ERIE COUNTY )  
OFFICE OF THE CLERK )ss:  
OF THE TOWN OF )  
CHEEKTOWAGA )

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 20th day of August, 1962, and that the same is a correct and true transcript of the same.

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

RESOLVED, that the Niagara Mohawk Power Corporation be authorized to remove on Genesee Street at Pendennis Street present 1348 foundation and install 1-175 watt mercury lamp on Genesee Street, approximately 46 feet east of the easterly curblineline of Pendennis Street.

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

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

Dated: August 20th, 1962

13  
27

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

RESOLVED, that the New York State Electric and Gas Corporation be authorized to remove the present light on existing pole No. J-262 situate at Broadway, corner of Boll Street, and install a 10,000 lumen incandescent light on pole No. J-262.

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

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

AYES: -6-

NOES: -0-

ABSENT: -1-

13  
27

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

RESOLVED, that the Supervisor be authorized and directed to purchase from the Westinghouse Electric Corporation Six (6) No. 1348 Street Lighting Standards to be charged to the General Lighting District for replacement purposes.

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

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

AYES: -6-

NOES: -0-

ABSENT: -1-

27

Item No. 10 This being the time and the place advertised for a public hearing on the proposed improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of

Item No. 10 Cont'd

hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor, such proof was duly filed.

## PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
Freda Avenue	Tillotson Avenue	House No. 133 on Freda Avenue (837.75 feet)
TYPE OF STREET LIGHTING INSTALLATION		
5 Y 19 standards-2500 lumen-under ground conduit		

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

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

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

## PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
Freda Avenue	Tillotson Avenue	House No. 133 on Freda Avenue (837.75 feet)
TYPE OF STREET LIGHTING INSTALLATION		
5 Y 19 standards-2500 lumen-under ground conduit		

and heard all persons interested in the subject thereof.

NOW, THEREFORE, BE IT RESOLVED, that this Town Board does hereby decide at such public hearing and upon the evidence given thereat,  
 (a) that such petition is signed and acknowledged as required by law and is otherwise sufficient, and  
 (b) that it is in the public interest to grant in whole the relief sought,  
 by the installation of street lighting equipment hereinabove particularly described along said streets, and

BE IT FURTHER RESOLVED, that such petition is hereby approved and that installation of such street lighting equipment along said highways is hereby authorized, and that the Supervisor and the Town Attorney are hereby authorized and directed to have the installation of said street lighting equipment made by the utility company supplying electrical service to the locality in which the said public highways are located, under such contracts as may be required to effectuate such installation and as approved by the said Town Attorney, and

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



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

WHEREAS, Governor Nelson A. Rockefeller has heretofore been advised of the opposition of this Town Board to making the Greater Buffalo International Airport capable of accommodating jet aircraft and the basis for such objection thereto, and

WHEREAS, the Governor has the power to veto the minutes of the Niagara Port Authority and prevent any action thereon, and

WHEREAS, on August 13, 1962, the Niagara Frontier Port Authority at its regular meeting, determined to extend the n.e.-s.w. runway at said Airport to accommodate jet aircraft, and to hire an engineering firm to prepare the necessary plans and specifications for such runway extension;

NOW, THEREFORE,

BE IT RESOLVED that this Town Board hereby requests Governor Nelson A. Rockefeller to veto such portions of the minutes of the regular meeting of the Niagara Frontier Port Authority held on August 13, 1962, whereby such Authority determined to extend the n.e.-s.w. runway at the Greater Buffalo International Airport to accommodate jet aircraft and engage an engineering firm to prepare plans and specifications for such extension and the Town Clerk is directed to send a certified copy hereof to the Governor.

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

CARRIED: AYES: -6-

ABSENT: -1- <sup>8</sup><sub>42</sub>

Item No. 15 The following resolution was offered by Councilman Trojanoski who moved its adoption, seconded by Councilman Wroblewski, to-wit:

WHEREAS, the assessment roll as prepared by the Board of Assessors covering the property described in Sidewalk Construction No. 1 Improvement has been completed and filed with the Town Clerk pursuant to Section 239 of the Town Law.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Town Clerk is hereby directed to cause notice to be published at least once in the Cheektowaga Times and Depew Herald and Cheektowaga News, newspapers published within the Town of Cheektowaga that said assessment roll has been completed, and that the Town Board of said Town will meet at the Town Hall, Broadway and Union Road, in said Town, on the 10th day of September, 1962, at 2:30 o'clock P.M., Eastern Daylight Saving time to hear and consider any objections which may be made to the roll. This notice shall be published not less than ten nor more than twenty days before the time for said hearing.

Section 2. This order shall take effect immediately.

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

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

The resolution was thereupon declared duly adopted.

Item No. 15 Cont'd

Posted as follows on the 25th day of August, 1962:

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

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

Affidavit on next page

32  
25

Town Attorney Kenneth W. Zanger indicates the Town will proceed with preparations to protect town residents from the noise and possible dangers of the proposed jet-plane use at the airport. The Board also approved application for extension of Water Hydrant Dist. 8 to take in the territory covered by Urban Dist. 8. Petition for five street lights Freda Ave. and petition for widening of Andrus Pl. from Chesnee to Oriole Pl. were approved. Dombrowski Ave. was accepted as a town highway.

ss.:

*Chester M. Krawczyk*  
~~RICHARD C. BENNETT~~

being duly sworn, deposes and says that he is the

*Associate* ~~PUBLISHER~~ *Editor* 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 one week, the first insertion being on the 23rd day of August, 1962, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*Chester M. Krawczyk*

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

AUG 25 1962, 19\_\_\_\_

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

Item No. 15 Cont'd

Posted as follows on the 25th day of August, 1962:

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

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

(Affidavit on next page)

32  
25

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

*Chester M. Krawczyk*  
~~RICHARD G. BERNETT~~

being duly sworn, deposes and says that he is the

**PLEASE TAKE NOTICE** that the Town Board of the Town of Cheektowaga, Erie County, New York, will meet at the Town Hall, Broadway and Union Road, in said Town, on the 10th day of September, 1962 at 2:30 o'clock P.M., Eastern Daylight Saving Time, to consider objections to Sidewalk Construction No. 1 assessment roll. A copy of such order of the Town Board is as follows:

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at Town Hall, Broadway and Union Road, in said Town, on the 20th day of August, 1962, at 7:30 o'clock P.M., Eastern Daylight Saving Time. The meeting was called to order by Supervisor Benedict T. Holtz, and upon roll being called, there were

**PRESENT:**  
Benedict T. Holtz, Supervisor  
Paul T. Wroblewski, Councilman  
Alvin M. Fath, Councilman

Stanley R. Bystrak, Councilman  
Assessor:  
Joseph Kornecki, Councilman

The following resolution was offered by Councilman Trojanoski who moved its adoption, seconded by Councilman Wroblewski, to -wit:

WHEREAS, the assessment roll as prepared by the Board of Assessors covering the property described in Sidewalk Construction No. 1 Improvement has been completed and filed with the Town Clerk pursuant to Section 239 of the Town Law.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Town Clerk is hereby directed to cause notice to be published at least once in the CHEEKTOWAGA TIMES and DEPEW HERALD AND CHEEKTOWAGA NEWS newspapers published within the Town of Cheektowaga that said assessment roll has been completed, and that the Town Board of said Town will meet at the Town Hall, Broadway and Union Road, in said Town, on the 10th day of September, 1962, at 2:30 o'clock P.M., Eastern Daylight Saving time to hear and consider any objections which may be made to the roll. This notice shall be published not less than ten nor more than twenty days before the time for said hearing.

Section 2. This order shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to vote on roll call which resulted as follows:  
Supervisor Holtz, Voting Aye  
Councilman Wroblewski,

Voting Aye  
Councilman Fath, Voting Aye  
Councilman Kaczmarek,  
Voting Aye  
Councilman Trojanoski,  
Voting Aye  
Councilman Bystrak,  
Voting Aye

The resolution was thereupon declared duly adopted.  
AYES: 6; NOES: 0; ABSENT:

1  
KENNETH T. HANLEY  
au23 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 one weeks:  
first publication AUG 23 1962  
last publication AUG 23 1962;  
and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

SEP 11 1962

day of ..... 19.....

Eve J. Allis

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

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 19 63  
Registered No. 5029

**PUBLIC HEARINGS**

PLEASE TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York, will meet at the Town Hall, Broadway and Union Road, in said Town, on the 10th day of September, 1962 at 2:30 o'clock P.M., Eastern Daylight Saving Time, to consider objections to Sidewalk Construction No. 1 assessment roll. A copy of such order of the Town Board is as follows:

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at Town Hall, Broadway and Union Road, in said Town on the 20th day of August, 1962, at 7:30 o'clock P.M., Eastern Daylight Saving Time.

The meeting was called to order by Supervisor Benedict T. Holtz, and upon roll being called, there were PRESENT:

BENEDICT T. HOLTZ  
Supervisor  
FELIX WROBLEWSKI  
Councilman  
ALANCIN M. FATH  
Councilman  
MICHAEL KACZMAREK  
Councilman  
JOSEPH TROJANOSKI  
Councilman  
STANLEY BYSTRAK  
Councilman

ABSENT:  
JOSEPH KORNECKI  
Councilman

The following resolution was offered by Councilman Trojanoski, who moved its adoption, seconded by Councilman Wroblewski, to wit:

WHEREAS, the assessment roll as prepared by the Board of Assessors covering the property described in Sidewalk Construction No. 1 improvement has been completed and filed with the Town Clerk pursuant to Section 230 of the Town Law.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Town Clerk is hereby directed to cause notice to be published at least once in the CHEEKTOWAGA TIMES and DEPEW HERALD AND CHEEKTOWAGA NEWS newspapers published within the Town of Cheektowaga that said assessment roll has been completed, and that the Town Board of said Town will meet at the Town Hall, Broadway and Union Road, in said Town, on the 10th day of September, 1962, at 2:30 o'clock P.M., Eastern Daylight Saving Time to hear and consider any objections which may be made to the roll. This notice shall be published not less than ten nor more than twenty days before the time for said hearing.

Section 2. This order shall take effect immediately.

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

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

The resolution was thereupon declared duly adopted.

AYES: 6 NOES: 0 ABSENT: 1  
KENNETH T. HANLEY,  
Town Clerk

(Pub: Aug. 23)

Item No. 16  
Its adoption:

Councilman Fath presented the following resolution and moved

BE IT RESOLVED, that the following transfers within the  
General and Special Districts Funds of the Town of Cheektowaga be effected.

TRANSFERS

	<u>TO</u>	<u>FROM</u>
8-05-3-07	\$ 11.28	
8-05-3-06		\$ 11.28
8-08-1-33	2,000.00	
8-90-1-00		2,000.00
8-12-2-06	26.50	
8-12-2-05		26.50
8-21-3-64	347.58	
8-90-1-00		347.58
8-22-1-00	1,535.30	
8-90-1-00		1,535.30
8-25-3-45	34.91	
8-25-1-00		34.91
8-28-3-51	409.07	
8-90-1-00		409.07
8-34-3-56	74.69	
8-34-3-59	101.76	
8-34-3-55		176.45
7-31-0-10	10,719.75	
7-31-0-01		10,719.75
7-31-0-01	.02	
7-31-0-15		.02
7-41-0-15	36.77	
7-41-0-01		36.77
7-44-0-07	4,188.47	
7-44-0-06		4,188.07
7-44-0-10	210.30	
7-44-0-01		210.30
7-60-0-01	54.00	
7-60-0-00		54.00
7-62-0-01	72.00	
7-62-0-00		72.00
7-68-0-02	1,960.76	
7-68-0-01		1,960.76
7-75-0-01	72.00	
7-75-0-00		72.00
7-76-0-01	45.00	
7-76-0-00		45.00
7-85-0-02	284.73	
7-85-0-00		284.73



Item No. 20 Cont'd

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

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

AYES: -6-

NOES: -0-

ABSENT: -1-

NOTICE TO CONTRACTORS

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Cheektowaga, Erie County, New York, sealed proposals will be received and considered by said Town Board on the 10th day of September, 1962 at 2:30 P.M. EDST, in the Town Hall, Broadway at Union Road, Cheektowaga, New York for furnishing all materials, tools, equipment, together with all labor for the repair and reconstruction of the furnace chambers, connecting and gas outlet flues, baffle and target walls, chimney and steel work for the monohearths and ash hoppers at the Incinerator Building on Union Road south of Broadway in the Town of Cheektowaga, Erie County, New York, including any other appurtenant work in accordance with the Contract Documents including Specifications, Instructions to Bidders, etc., prepared by Albert J. Kamm, Town Engineer for the Town of Cheektowaga, New York, all of which are on file with the Town Clerk, at his office in the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, where the same may be examined during the usual business hours.

The Town of Cheektowaga, Erie County, New York, reserves the right to reject any or all bids, or to waive 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 percentum (5%) of the estimated expense of the total improvement payable to the order of the Supervisor, or a bond with sufficient securities to be approved by the Supervisor, or a penal sum equal to five per centum (5%) of the estimated expense of the improvement, conditioned that if his proposal is accepted, he will enter into a contract for the same, and that he will execute such further security as may be required for the faithful performance of the Contract.

No bidder may withdraw his bid within thirty (30) days after the date set for the opening thereof, but may withdraw same at any time prior to the scheduled time for the opening of bids.

Kenneth T. Hanley  
Town Clerk

Dated: August 20, 1962  
Published: August 23, 1962

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

(Affidavit on next page)

1  
23

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

IS HEREBY GIVEN  
that pursuant to a resolution of  
the Town Board of the Town  
of Cheektowaga, Erie County,  
New York, sealed proposals will  
be received and considered by  
said Town Board on the 10th  
day of September, 1962 at 2:30

[REDACTED]

all materials, tools,  
for [REDACTED]

leads to instruct their sons  
The best cure is for mothers  
on taxpayers.

a heavy additional expense  
incurred. This, if necessary, will  
taken to children's court, in  
out of them would have to be  
against traffic, would mean  
the wrong side of a street,  
at the boys and girls riding  
Police officials say that to at-

lagned.  
de Twin Villages are equally  
over the Niagara Frontier—  
A rash of wrong-way Corrigan  
cycle riding is being reported

be Expensive  
riding Could  
Wrong-Way Bike

Additional railroad  
the Park. Additional railroad  
ings may be provided as  
oded.

ALWAYS WALK THE OTHER BUILDINGS

ings may be provided as  
oded.

Chester M. Krawczyk  
~~RICHARD G. BENNETT~~

being duly sworn, deposes and says that he is the

~~PUBLISHER~~  
Associate Editor 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 one  
week, the first insertion being on the 23rd day  
of August, 1962, and the last inser-  
tion being on the \_\_\_\_\_ day of \_\_\_\_\_,  
19\_\_\_\_, and that not more than six days intervened  
between any two publications thereof.

Chester M. Krawczyk

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

AUG 25 1962, 19\_\_\_\_

Wm. T. Hardy  
Notary Public in and for Erie County

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

~~\_\_\_\_\_~~  
that pursuant to a resolution of the Town Board of the Town of Cheektowaga, Erie County, New York, sealed proposals will be received and considered by said Town Board on the 10th day of September, 1962 at 2:30

~~\_\_\_\_\_~~  
furnishing all materials, tools, equipment, together with all labor for the repair and reconstruction of the furnace chambers, connecting and gas outlet flues, baffle and target walls, chimney and steel work for the monobearths and ash hoppers at the Incinerator Building on Union Road south of Broadway in the Town of Cheektowaga, Erie County, New York, including any other appurtenant work in accordance with the Contract Documents including Specifications, Instructions to Bidders, etc., prepared by Albert J. Kamm, Town Engineer for the Town of Cheektowaga, New York, all of which are on file with the Town Clerk at his office in the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, where the same may be examined during the usual business hours.

The Town of Cheektowaga, Erie County, New York, reserves the right to reject any or all bids, or to waive informality, 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 securities to be approved by the Supervisor, or a penal sum equal to five per centum (5%) of the estimated expense of the improvement, conditioned that if his proposal is accepted, he will enter into a contract for the same, and that he will execute such further security as may be required for the faithful performance of the Contract.

No bidder may withdraw his bid within thirty (30) days after the date set for the opening thereof, but may withdraw same at any time prior to the scheduled time for the opening of bids.

KENNETH T. HANLEY  
Town Clerk  
Dated: August 20, 1962  
Published: August 20, 1962

*Chester M. Krawczyk*  
~~RICHARD G. BENNETT~~

being duly sworn, deposes and says that he is the

*Associate* ~~PUBLISHED~~ *Editor* 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 one week, the first insertion being on the 23rd day of August, 1962, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*Chester M. Krawczyk*

\_\_\_\_\_ day of

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

*Hanley*  
\_\_\_\_\_ for Erie County

Item No. 21 This being the time and the place advertised for a public hearing for the proposed Extension of Water District No. 8.

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

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing and no person appearing in opposition thereof, the following resolution was offered and adopted. 29

Item No. 22 Councilman Trojanoski presented the following resolution and moved its adoption:

WHEREAS, Thomas E. Delahunt, Deputy Town Attorney, has, at the instance of the Town Board, and with the assistance of Nussbaumer, Clarke and Velzy, Consulting Engineers, prepared a map, plan and report providing for the extension of water District No. 8 of the Town of Cheektowaga, and said map, plan and report has been filed in the office of the Town Clerk, in accordance with Article 12-A of the Town Law, and

WHEREAS, said map, plan and report was duly filed in the office of the Town Clerk for public inspection on August 6 1962 and has remained on file in said office, and

WHEREAS, the boundaries of the said proposed extension of said Water district No. 8 as set forth in said map, plan and report, are as follows:

All the tract or parcel of land situated in the Town of Cheektowaga, County of Erie and State of New York, being more particularly described as follows: Beginning at the point of intersection of the easterly line of the New York Central Railroad right-of-way, which is also the east line of the existing district, with a north line of the village of Depew, which is also the south line of the existing district. Running thence northerly and northeasterly along the said easterly line of the New York Central Railroad right-of-way to the westerly line of the Lehigh Valley Railroad right-of-way. Thence northerly along the westerly line of the Lehigh Valley Railroad right-of-way to the northerly line of the West Shore Railroad right-of-way. Thence reasterly along the northerly line of the Lehigh Valley Railroad right-of-way. Thence southerly along theeasterly line of the Lehigh Valley Railroad right-of-way to a point formed by the intersection of a north line of the Village of Depew extended westerly. Thence easterly along said extended line to a northwest corner of the Village of Depew. Thence southerly along a westerly line of the Village of Depew to a north line of the Village of Depew. Thence westerly along a notherly line of the Village of Depew to the point or place of beginning.

WHEREAS, there is no expenditure or money required to finance the cost of the extension, and accordingly no issurance of bonds, notes, certificates, or other evidences of indebtedness will be required, and no money is proposed to be expended for the performance or supplying of services, and

WHEREAS, the Town Board on August 6, 1962 duly adopted an order providing that the Town Board shall meet at the Town Hall, corner of Broadway and Union Road in said Town, on the 20th day of August, 1962, at 7:30 o'clock p.m. Eastern Daylight Saving Time, and hold a public hearing on the extension of said District, at which all persons interested in the subject thereof might be heard concerning the same, and the Town Board did meet at such time and place and held such hearing and heard all persons interested in the subject thereof, and the evidence offered at such public hearing requires that the Town Board make the determination hereinafter; NOW, THEREFORE,

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

Item No. 22 Cont'd

(1) It is hereby determined that (1) the notice of said hearing held on August 20, 1962, was published and posted as required by law and is otherwise sufficient, and (2) all of the property and property owners within the proposed extension of said District are benefited by the extension of said District, and (3) all of the property and property owners benefited thereby are included within the limits of the proposed extension of said District, and (4) the extension of said District is in the public interest.

(2) The extension of water District No. 8 of the Town of Cheektowaga with the boundaries above set forth, is hereby approved.

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

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

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

AYES: -6-

NOES: -0-

ABSENT: -1- 29

Item No. 23 This being the time and the place advertised for a public hearing for the improvement of Andres Place, extending south from Genesee Street approximately 1290 feet to Oriole Place by the construction of a permanent pavement, together with the construction of curbs, and the installation of receivers and all necessary underground drains.

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

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing, and no person appearing in opposition thereof, the following resolution was offered and adopted.

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

WHEREAS, a written petition was duly filed with this Town Board for the improvement of both sides of Andres Place, extending from Genesee Street, southerly, approximately 1290 feet to Oriole Place, by the construction of a permanent pavement, together with the construction of curbs and the installation of receivers and all necessary underground drains, and said highway being a Town highway, and

WHEREAS, it duly appears that such petition has been signed by owners of realproperty fronting or abutting on said portion of said public highway, owning at least one-half of the frontage or bounds on said portion of said public highway to be improved as aforesaid, and by resident owners owning not less than one-half of the frontage owned by resident owners residing along said portion of said highway proposed to be improved, and

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

WHEREAS, at a meeting of the Town Board duly held on August 6, 1962, an order was duly adopted by it and entered in its minutes, recit-

Item No. 24 Cont'd

ing the filing of such petition, and improvement proposed, and the maximum amount proposed to be expended for the improvement as stated in the petition to wit: the sum of Thirty-Seven Thousand Dollars, (\$37,000.00), and specifying that the said Town Board would meet to consider the petition and to hear all persons interested in the subject thereof concerning the same, at the Town Hall in the Town of Cheektowaga, New York, on the 20th day of August, 1962, at 7:30 o'clock P.M., Eastern Daylight Saving Time, and

WHEREAS, the said order, duly certified by the Town Clerk, was duly published and posted as required by law, and

WHEREAS, a hearing was held by this Board at the place and on the date and at the time hereinbefore mentioned, and at such time and place the said Town Board did duly consider the said petition and hear all persons interested;

NOW, THEREFORE, after such hearing and upon the evidence given thereat and pursuant to the provisions of the Town Law of of the State of New York, it is hereby

RESOLVED, that this Board determine that it is in the public interest to make the improvement petitioned for, to wit: the improvement of both sides of Andres Place, extending from Genesee Street, southerly, approximately 1290 feet to Oriole Place, by the construction of a permanent pavement, together with the construction of curbs and the installation of receivers and the necessary underground drains; and it is further

RESOLVED, that Nussbaumer, Clarke & Velzy, Consulting Engineers of the Town of Cheektowaga, shall survey said portion of said highway proposed to be improved, and establish the lines and grades thereof and file in the Town Clerk's Office a survey and profile of said portion of said highway, and it is further

RESOLVED, that said Nussbaumer, Clarke & Velzy, Consulting Engineers, shall prepare definite plans and specifications and make a careful estimate of the expense, and with the assistance of the Town Attorney, shall prepare a proposed contract for the execution of the work, and that such plans and specifications, estimate and proposed contract shall be presented to this Board as soon as reasonably possible.

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

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

AYES: -6-

NOES: -0-

ABSENT: -1-

17  
13

Item No. 25 Moved by Councilman Kaczmarek, seconded by Councilman Trojanoski, that the request of the Highway Superintendent to attend the 68th Annual Congress and Equipment Show at New Orleans, La., on September 29, 1962 to October 3, 1962, be granted and that his reasonable expense be a proper town charge.

CARRIED: AYES: -6-

ABSENT: -1-

13  
42

Item No. 26 The following resolution was moved by Councilman Bystrak and seconded by Councilman Wroblewski:

Item No. 26 Cont'd

That the following claims be approved as presented:

General Fund	Nos. 6496	to 6547	inclusive
	Nos.	to	inclusive
Highway Fund	Nos. 1974	to 1996	inclusive
	Nos.	to	inclusive
Special Districts	Nos. 2587	to 2614	inclusive
	Nos.	to	inclusive
Part Town Fund	Nos. 782	to 793	inclusive
C & I	Nos. 387	to 389	inclusive
Tax	Nos.		
Health	Nos.		

AYES: -6-

NOES: -0-

ABSENT: -1-

6

Item No. 27 Moved by Councilman Wroblewski, seconded by Councilman Trojanoski, that the Town Clerk be authorized and directed to issue building permits on applications approved by the Building Inspector in his communication dated August 20, 1962, except the applications of Mary C. Morgan to move to Bismark Street four dwellings.

15  
25

AYES: -6-

ABSENT: -1-

Item No. 28 Mr. Richard Lang of No. 103 Broad Street was granted the floor and requested information relating to the meeting held on August 13, 1962 between the Town Boards of Cheektowaga and Amherst on the matter of jet planes landing and taking off from the Greater Buffalo International Airport. Mr. Lang asked the Board if they can clear up the confusion and if there was anything they could add to the situation.

The Supervisor referred the matter to the Town Attorney who stated that the Town reaction was the same as his.

"We spoke in opposition and the Port Authority has decided to go ahead with the run-way. There will be no construction of a light system. The best reply is the law-suit and you can rest assured the law suit will come about. Amherst has shown its interest in the law suit and I think they will join us in this law-suit. I have faith in the law-suit and I am optimistic on the final success of same. The law-suit will start before any ground is broken on this matter. I do not want to speak on this law-suit, the place to try a law-suit is in the court-room."

42

Item No. 29 Moved by Councilman Wroblewski, seconded by Councilman Kaczmarek, that the Town Clerk be authorized and directed to issue a building permit to one Stanley Olesky, to erect a single dwelling with private garage attached at No. 94 Birkdale Road.

15  
25

AYES: -6-

ABSENT: -1-

Item No. 30 Moved by Councilman Kaczmarek, seconded by Councilman Bystrak, to adjourn.

SEAL

Kenneth T. Hanley, Town Clerk.

Meeting No. 18

Cheektowaga, New York  
September 8, 1962

Item No. 1 At a Special meeting of the Town Board of the Town of Cheektowaga Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 8th day of September 1962, at 12 o'clock noon, there were:

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

ABSENT: -0-

Also present was Town Attorney Kenneth W. Kitzinger.

Due to the absence of Town Clerk Hanley the Supervisor was designated to act as Clerk for this meeting.

Item No. 2 The Town Board took under review the Budget Estimates for Special Districts spreading costs on Benefit Basis as presented by Supervisor Holtz.

BUDGET ESTIMATES FOR SPECIAL DISTRICTS  
SPREADING COSTS ON BENEFIT BASIS

September 7, 1962

Cheektowaga Town Board  
Town Hall  
Cheektowaga, New York

Gentlemen:

I am outlining the amounts which, in my opinion, will be necessary for the operation of Special Districts, the costs of which are levied against property on a benefit basis, for the year 1963.

SEWER DISTRICTSDISTRICT NO. 1

Rent to City of Buffalo	\$ 585.87	
To be raised by assessment		\$ 585.87

DISTRICT NO. 2

Rent and maintenance payable to Sewer District No. 5	\$10,000.00	
To be raised by assessment		\$ 10,000.00

DISTRICT NO. 3APPROPRIATIONS

<u>Personal services</u>	\$ 2,300.00
Services of Superintendent	

<u>Equipment</u>	
Various	1,000.00

Other expenses

Operation of disposal plant	45,650.00
Real estate taxes	6,400.00
Maintenance of sewers	12,000.00
Bond principal	14,000.00
Bond interest	8,236.00
Payments to General Fund:	
N. Y. State Retirement	4,100.00
Social Security	1,200.00
Group Health Insurance	600.00
Services of Engineer	2,000.00
Services of Town Attorney	1,000.00
Erie County chargebacks	1,149.77
	<u>\$99,635.77</u>

TOTAL APPROPRIATIONS

Item No. 2 Cont'd

REVENUES

Rentals: William Street tie-in	\$ 500.00	
Franklin Street tie-in	1,800.00	
N. Y. Central Railroad	800.00	
Jane Drive tie-in	2,400.00	
<b>TOTAL REVENUES</b>	<u>\$ 5,500.00</u>	
To be raised by assessment		<u>\$ 94,135.77</u>

DISTRICT NO. 4

Rent and maintenance payable to Sewer District No. 5	\$10,000.00	
Operation of pump station	1,200.00	
To be raised by assessment		<u>\$ 11,200.00</u>

DISTRICT NO. 5

APPROPRIATIONS

<u>Personal services</u>		
Services of Superintendent	\$ 4,400.00	
<u>Purchase of equipment</u>		
Seweroder	5,000.00	
Rods, drills, etc.	3,000.00	
<u>Other expenses</u>		
Operation of disposal plant	179,650.00	
Maintenance of sewers	35,000.00	
Bond principal	62,000.00	
Bond interest	36,449.25	
Engineering (NCV)	5,480.52	
Payments to General Fund:		
N. Y. State Retirement	10,000.00	
Social Security	3,000.00	
Group Health Insurance	1,600.00	
Services of Engineer	4,500.00	
Services of Town Attorney	1,500.00	
Erie County chargebacks	109.36	
<b>TOTAL APPROPRIATIONS</b>	<u>\$351,689.13</u>	

REVENUES

Sun Oil Company	\$ 100.00	
Josephine Asmondus	75.00	
Port Authority Rent	12,000.00	
Rent and maintenance from:		
Sewer District No. 2	10,000.00	
Sewer District No. 4	10,000.00	
Sewer District No. 6	21,700.00	
Sewer District No. 7	34,600.00	
Andres Place Lateral Sewer Sewer District No. 7	1,777.35	
Depew Extension	8,000.00	
Carderelli Extension	8,000.00	
Maintenance from:		
Storm Sewer District No. 1	1,000.00	
Storm Sewer District No. 2	1,000.00	
Storm Sewer District No. 3	1,500.00	
Storm Sewer District No. 4	1,000.00	
Storm Sewer District No. 5	1,000.00	
Storm Sewer District No. 6	500.00	
Storm Sewer District No. 7	500.00	
<b>TOTAL REVENUES</b>	<u>\$112,752.35</u>	
To be raised by assessment		<u>\$238,936.78</u>

DISTRICT NO. 5 - WALDEN EXTENSION

Bond principal	\$ 3,000.00	
Bond interest	1,937.00	
To be raised by assessment		<u>\$ 4,937.00</u>

## Item No. 2 Cont'd

DISTRICT NO. 5 - PEINKOFER EXTENSION

Bond principal	\$ 1,000.00	
Bond interest	450.00	
To be raised by assessment		<u>\$ 1,450.00</u>

DISTRICT NO. 6

Bond principal	\$ -0-	
Bond interest	-0-	
To Sewer District No. 5:		
Rent	20,500.00	
Maintenance	1,200.00	
To be raised by assessment		<u>\$ 21,700.00</u>

DISTRICT NO. 7APPROPRIATIONS

Bond principal	\$ 27,000.00
Bond interest	28,483.50
To Sewer District No. 5:	
Rent and maintenance	34,600.00
Erie County chargebacks	15.10
TOTAL APPROPRIATIONS	<u>\$ 90,098.60</u>

REVENUES

Sewer District No. 7 - Depew Extension	\$ 4,000.00
Sewer District No. 7 - Carderelli Extension	2,000.00
TOTAL REVENUES	<u>\$ 6,000.00</u>
To be raised by assessment	<u>\$ 84,098.60</u>

DISTRICT NO. 7 - DEPEW EXTENSION

Bond principal	\$ 2,500.00
Bond interest	1,400.00
Note interest	2,100.00
Rent and maintenance payable to Sewer District No. 5	8,000.00
Transmission charge payable to Sewer District No. 7	4,000.00
To be raised by assessment	<u>\$ 18,000.00</u>

DISTRICT NO. 7 - CARDERELLI EXTENSION

Bond principal	\$ 2,300.00
Bond interest	1,200.00
Note interest	1,800.00
Rent and maintenance payable to Sewer District No. 5	8,000.00
Transmission charge payable to Sewer District No. 7	2,000.00
To be raised by assessment	<u>\$ 15,300.00</u>

STORM SEWER DISTRICTSDISTRICT NO. 1

Maintenance payable to Sewer District No. 5	\$ 1,000.00
To be raised by assessment	<u>\$ 1,000.00</u>

DISTRICT NO. 2

Maintenance payable to Sewer District No. 5	\$ 1,000.00
To be raised by assessment	<u>\$ 1,000.00</u>

DISTRICT NO. 3

Maintenance payable to Sewer District No. 5	\$ 1,500.00
To be raised by assessment	<u>\$ 1,500.00</u>

DISTRICT NO. 4

Bond principal	\$ 5,000.00
Bond interest	2,970.00
Maintenance payable to Sewer District No. 5	1,000.00
To be raised by assessment	<u>\$ 8,970.00</u>

## Item No. 2 Cont'd

DISTRICT NO. 5

Bond principal	\$ 2,500.00	
Bond interest	2,835.00	
Maintenance payable to Sewer District No. 5	1,000.00	
To be raised by assessment		<u>\$ 6,335.00</u>

DISTRICT No. 6

Bond principal	\$ 9,000.00	
Bond interest	10,206.00	
Maintenance payable to Sewer District No. 5	500.00	
To be raised by assessment		<u>\$ 19,706.00</u>

DISTRICT NO. 7

Erie County chargebacks	\$ 305.65	
Engineering (NCV)	1,095.00	
Bond principal	16,000.00	
Bond interest	19,742.00	
Note interest	2,100.00	
Maintenance payable to Sewer District No. 5	500.00	
To be raised by assessment		<u>\$ 39,742.65</u>

TO BE RAISED  
BY ASSESSMENTLATERAL SANITARY SEWER DISTRICTS

Rosler	\$ 500.00
Andres Place	\$ 1,777.35
Walden	\$ 3,066.77
Buell-Genesee	\$ 1,572.00
Smallwood	\$ 593.92
Union-Goering	\$ 2,008.00
Greenway Boulevard	\$ 1,100.00

CURBING DISTRICTS

Mansion	\$ 3,612.93
Peoria	\$ 3,357.70
Warsaw	\$ 1,889.08
Wabash	\$ 2,000.00
Calderwood-Huntington	\$ 2,316.23
Cherokee	\$ 3,700.00
Dellwood	\$ 1,000.00
Claudette Court	\$ 2,400.00
Cunard	\$ 2,500.00

PAVING DISTRICTS

Cedar, Tudor, Campbell	\$ 22,526.00
Lemoine	\$ 5,293.75
Greenway Blvd.	\$ 3,950.00

STREET LIGHTING IMPROVEMENTGROUP 28

Principal and interest due in 1963:	\$ 166.77
Binner Road	\$ 166.77
Charlotte Drive	\$ 1,226.94
Joseph Street	

GROUP 29

Principal and interest due in 1963:	\$ 370.04
Sandy Lane	\$ 518.05
St. Boniface Road	\$ 255.94
Hunting Road	\$ 1,389.15
Santin Dr.	

Item No. 2 Cont'd

In accordance with the Town Law, it is the duty of the Town Board to estimate the 1963 revenues and expenditures for the above listed districts and file same with the Town Clerk. A date for public hearing upon the Board's estimates should be fixed and the Town Clerk instructed to give due notice of such hearing.

Respectfully submitted,

Benedict T. Holtz /s/  
Supervisor

Councilman Kaczmarek moved the following resolution and it was seconded by Councilman Fath:

WHEREAS, this Town Board has prepared a detailed estimate of the anticipated 1963 revenue 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 Districts on a benefit basis, against the lots and parcels of land, which is chargeable, and

WHEREAS, this Town Board has prepared an Assessment Roll describing each lot or parcel of land, the owner thereof, and the assessment levied against it, and

WHEREAS, this Town Board has filed such Estimates and Assessment Roll with the Town Clerk,

NOW, THEREFORE, BE IT

RESOLVED, that the detailed estimates of the anticipated revenues and expenditures for every Special District and the Assessment Roll for every Special District be and the same is hereby approved, and

BE IT FURTHER RESOLVED, that the Town Clerk be and he hereby is authorized and directed to publish a Notice of Public Hearing for same in the Depew Herald & Cheektowaga News and the Cheektowaga Times, newspapers published in the Town of Cheektowaga, New York, said Notice to be in the following form and to be published the weeks of September 13th, 1962 and September 20th, 1962, respectively, said Public Hearing to be held on the 26th day of September, 1962, at 7:30 p.m., E.D.S.T., and shall be in the following form to wit:

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Town Board of Cheektowaga, Erie County, New York, at a special meeting held on September 8th, 1962, completed its Estimates and Assessments Roll relating to Special Districts spreading costs on a Benefit Basis and has filed same with the Town Clerk for the following districts:

Sewer Districts: 1, 2, 3, 4, 5, 5-Walden Extension, 5-Peinkofer Extension, 6, 7, 7-Depew Extension, 7-Cardelli Extension;  
Storm Sewer Districts: 1, 2, 3, 4, 5, 6, 7;  
All Lateral Sanitary Sewer Districts;  
All Curbing Districts;  
All Paving Districts;  
All Street Lighting Improvement Districts.

Notice is also given that a public hearing on such Estimates and Assessment Roll will be held September 26th, 1962, at 7:30 p.m., E.D.S.T., 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 Estimate and Assessment Roll.

Dated: September 8, 1962.

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

Town Clerk

sl3-20

The Notice of Public Hearing was posted as follows on the 14th day of September, 1962:

Item No. 2 Contd'

- 1-Town Hall Bulletin Board;
- 2-U-Crest Fire Hall, Evergreen Street and Clover Place;
- 3-Rescue Fire Hall, Pine Ridge Road;
- 4-Doyle Fire Hall No. 1, William and Alaska Street;
- 5-Bellevue Fire Hall, Como Park Boulevard.

Hereto attached are affidavits of publication:

STATE OF NEW YORK }  
COUNTY OF ERIE } ss.

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

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

first publication Sept 13, 1962;  
last publication Sept 20, 1962;

and that no more than six days intervened between publications.

Willard C. Allis  
Sworn to before me this 28<sup>th</sup>  
day of Sept, 1962  
Eve J. Allis  
Notary Public in and for Erie County, N. Y.

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1962  
Registered No. 5029

Item No. 2 Contd'

- 1-Town Hall Bulletin Board;
- 2-U-Crest Fire Hall, Evergreen Street and Clover Place;
- 3-Rescue Fire Hall, Pine Ridge Road;
- 4-Doyle Fire Hall No. 1, William and Alaska Street;
- 5-Bellevue Fire Hall, Como Park Boulevard.

Herete attached are affidavits of publication:

(Affidavit on no. 32)

**NOTICE**

that the Town Board of Cheektowaga, Erie County, New York, at a special meeting held on September 8th, 1962, completed its Estimates and Assessment Roll relating to Special Districts spreading costs on a Benefit Basis and has filed same with the Town Clerk for the following districts:

Sewer Districts: 1, 2, 3, 4, 5, 5-Walden Extension, 5-Peinkofer Extension, 6, 7, 7-Depew Extension, 7-Cardarelli Extension;

Storm Sewer Districts: 1, 2, 3, 4, 5, 6, 7;

All Lateral Sanitary Sewer Districts;

All Curbing Districts;

All Paving Districts;

All Street Lighting Improvement Districts.

Notice is also given that a public hearing on such Estimates and Assessment Roll will be held September 26th, 1962, at 7:30 p.m., E.D.S.T., 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 Estimate and Assessment Roll.

Dated: Sept. 8, 1962.

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

KENNETH T. HANLEY,  
Town Clerk.

(Pub.: Sept. 13, 62)

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

NOTICE IS HEREBY GIVEN that the Town Board of Cheektowaga, Erie County, New York, at a special meeting held on September 8th, 1962, completed its Estimates and Assessment Roll relating to Special Districts spreading costs on a Benefit Basis and has filed same with the Town Clerk for the following districts:

- Sewer Districts: 1, 2, 2, 4, 5, 6-Walden Extension, 5-Petshofer Extension, 6, 7, 7-Depew Extension, 7-Cardelli Extension;
- Storm Sewer Districts: 1, 2, 3, 4, 5, 6, 7;
- All Lateral Sanitary Sewer Districts;
- All Curbing Districts;
- All Paving Districts;
- All Street Lighting Improvement Districts.

Notice is also given that a public hearing on such Estimates and Assessment Roll will be held September 20th, 1962, at 7:30 p.m., E.D.S.T., 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 Estimate and Assessment Roll.

Dated: September 8, 1962.  
By order of the Town Board of the Town of Cheektowaga, New York.

KENNETH T. HANLEY,  
Town Clerk

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a newspaper with general circulation in the Towns of Cheektowaga and Lancaster, and published at Depew, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 2 week, the first insertion being on the 13th day of September, 1962, and the last insertion being on the 20th day of September, 1962, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this 21 day of

Sept 1962  
*Kenneth T. Hanley*  
Notary Public in and for Erie County

ITEM NO. 3  
adjourn.

Moved by Councilman Fath, seconded by Councilman Wroblewski, to

SEAL

Benedict T. Holtz,  
Acting Town Clerk.

Meeting No 19

Cheektowaga, New York  
September 10, 1962

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 in the said Town of Cheektowaga on the 10th day of September 1962, at 2:30 p.m., E.D.S.T., there were:

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

ABSENT: -0-

Also present were: Town Clerk Hanley, Town Attorney Kitzinger; Deputy Town Attorney Delahunt, Building & Plumbing Inspector Trfalski; Town Engineer Kamm, Chief of Police Mersmann and Town Historian Julia B. Reinstein.

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

Item No 3 Referred to the Assessors for a property check the petition for the improvement of Schlenker Avenue by the installation of a lateral sanitary sewer. 17  
24  
32

Item No 4 Referred to the Chief of Police and the Petitions Committee communication from Hy View Fire District No. 8 requesting a fifteen M P.H school zone signs on Meadowlawn to Barone Circle. 17  
18  
41

Item No 5 Referred to the Deputy Town Attorney communication from the Cheektowaga Library Board recommending building sites for Town Libraries. 33  
44

Item No. 6 Referred to the Petitions Committee and the Health Officer communication from Daniel I. Miller, relating to side walks and unsightly conditions that exist at the south end of Lemoine Avenue. 17  
25

Item No. 7 Moved by Councilman Wroblewski, seconded by Councilman Kaczmarek, that the request of the Justice of Peace to attend a Magistrates Conference and School at Monticello, New York, on September 12th, 1962 to September 15th, 1962, be granted, and that their reasonable expenses be a proper town charge 37  
42

CARRIED: AYES: -7- NOES: -0-

Item No 8 Moved by Councilman Trojanoski, seconded by Councilman Bystrak, that the request of Town Engineer Kamm and Frank Luntz to attend the 35th Annual Meeting of the Water Pollution Control Federation at Toronto, Ontario, on October 8-11, 1962, be granted and that their reasonable expenses by a proper town charge. 36  
31  
42

CARRIED: AYES: -7- NOES: -0-

Item No. 9 Moved by Councilman Kornecki, seconded by Councilman that the request of the Town Health Officer to attend the American Public Health Conference at Miami, Florida, on October 15, 1962, to October 19, 1962, be granted, and that his reasonable expenses be a proper town charge. 43  
42

CARRIED: AYES: -7- NOES: -0-

Item No 10 This being the time and the place advertised for the receiving of sealed proposals for furnishing all materials, tools, equipment, together with all labor for the repair and reconstruction of the furnace chambers, connecting and gas outlet flues, baffle and target walls, chimney and steel work, for the monohearths and ash hoppers at the Incinerator Building

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

Item No. 10 Cont'd

The Clerk announced that only one sealed proposal has been received and that was the one of Furnco Construction Corporation in the amount of \$33,980.00

The bid was referred to the Town Engineer for study.

1  
36  
23

Item No. 11 This being the time and the place advertised for a public hearing to consider objections to Sidewalk Construction No. 1 assessment roll.

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

The Supervisor announced that the Board would hear all persons interested in the subject of the hearing, and no person appearing in opposition thereof the following resolution was offered and adopted, to wit:

32  
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Item No. 12 The following resolution was offered by Councilman Trojanoski who moved its adoption, seconded by Councilman Fath, to wit:

WHEREAS, the Assessors of the Town of Cheektowaga, pursuant to Section 239 of the Town Law, have prepared an assessment roll for the special improvement known as Sidewalk Construction No. 1, and that the same has been filed with the Town Clerk; and

WHEREAS, pursuant to direction of resolution dated the 20th day of August, 1962, the Town Clerk caused a notice to be published in newspapers published within the Town of Cheektowaga specifying that said assessment roll had been completed and that said Town Board would meet at the Town Hall, Broadway and Union Road, on the 10th day of September 1962, at 2:30 o'clock P.M., Eastern Daylight Saving Time, to hear and consider any objections which may be made to the roll; and

WHEREAS, at that time and place, this Town Board would meet to hear any and all persons interested in the subject matter thereof concerning the same.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Town Board of the Town of Cheektowaga does hereby affirm and adopt said assessment roll for the special improvement known as Sidewalk Construction No. 1 as prepared and filed.

Section 2. The Town Board does hereby annex to said assessment roll a warrant, which warrant shall be signed by the Supervisor and countersigned by the Town Clerk commanding the Receiver of Taxes & Assessments to collect from the several persons named therein the sum or sums opposite their respective names and to pay the same to the Supervisor of the Town. Said warrant shall prescribe that the assessments therein may be paid in one installment without fee or penalty on or before a date to be specified therein, which date shall be not less than thirty nor more than one hundred and eighty days from the date of the warrant.

Section 3. It is hereby determined that the cost of this construction apportioned upon the several lots and parcels of land so deemed benefited at what has been determined to be in just proportion to the amount of benefit which the improvement shall have conferred upon the same, may be payable as an alternative to the provisions of Section 2 above, in five annual installments for which an assessment roll shall be prepared, approved, transmitted to the Board of Supervisors of the County of Erie, levied and spread as part of the yearly County tax bill. Said annual installments shall include interest at the rate of 3.60 percent of each such installment.

Section 4. This order shall take effect immediately.

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

Item No. 12 Cont'd

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

The resolution was thereupon declared duly adopted.

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Item No. 13  
adoption:

Councilman Fath presented the following resolution and moved its

WHEREAS, sealed bids were received on the 21st day of May, 1962 for the purchase of one (1) 1961 or 1962 New Crawler Tractor with three quarter yard loader and bulldozer blade for use in the Parks Department,

WHEREAS, the lowest bidder was Cameron Equipment Corporation,

BE IT RESOLVED, that this Town Board does purchase the above mentioned Tractor from Cameron Equipment Corporation in the amount of \$6,734.80.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -7-

1  
16

Item No. 14  
adoption:

Councilman Fath presented the following resolution and moved its

CAPITAL NOTE RESOLUTION, DATED SEPTEMBER 10, 1962, AUTHORIZING THE ISSUANCE OF \$6,734.80 CAPITAL NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE PURCHASE OF TRACTOR.

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 \$6,734.80 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 of a tractor for use in the Town Parks.

Section 3. It is hereby stated that (a) the maximum cost of said purpose as estimated by the Town Board, is \$6,734.80, 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 28 of paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five years.

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

Section 6. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the Depew Herald and Cheektowaga News, a newspaper published and having a general circulation in said Town. The validity of said Capital Notes may be

## Item No. 14 Cont'd

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

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

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

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

AYES: 7

NOES: 0

ABSENT: 0

Councilman Fath 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 \$6,734.80 shall be issued pursuant to the Capital Note resolution entitled "Capital Note Resolution, Dated September 10, 1962, Authorizing the Issuance of \$6,734.80 Capital Notes of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law, to Finance Purchase of Tractor". Said Capital Notes shall be designated "Town Park Capital Notes, Series A of 1962". Said Capital Notes shall consist of two notes of the denominations of \$3,367.40 and \$3,367.40 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 of each of the years 1963 and 1964.

(2) Each of said Capital Notes shall be dated as of a date on or subsequent to September 10, 1962 and shall bear interest from their date at the rate of Two and Three-Quarters Per Cent (2 3/4%) per annum. The interest on the Capital Notes shall be payable annually on April 1.

(3) Both principal of and interest on said Capital Notes shall be payable at the Manufacturers and Traders Trust Company of Buffalo, New York, in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts.

(4) Each of said Capital Notes shall be payable to bearer and shall be convertible into a registered Capital Note. Each of said Capital Notes shall be executed by the Town Supervisor of said Town and shall be attested by the Town Clerk of said Town. Each of said Capital Notes shall be sealed with the seal of said Town.

(5) The power to prescribe the terms, form and contents of said Capital Notes, subject to the provisions of this resolution, are hereby delegated to the Town Supervisor. Said Capital Notes shall be sold to the Manufacturers and Traders Trust Company of Buffalo, New York, at private sale and shall bear an interest rate of Two and Three-Quarters Per Cent (2 3/4%) per annum.

Item No. 14 Cont'd

(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 Wroblewski and duly put to a vote which resulted as follows:

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

AYES: 7

NOES: 0

ABSENT: 0

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

(Affidavit on next page)

12  
16

Robert Beck, hostess, at NT 3-1412.  
 A meeting of the Acolytes will take place in Davis Hall at 7 p.m. Tuesday. All former Acolytes and those interested in this service are invited. To be eligible, one must be entering fifth grade.  
 A business meeting of the Ladies Guild will be held Tuesday evening at 8 p.m. Embury Wednesday services will include Holy Eucharist at 6:45 and 9:30 a.m. Embury Friday, at which time St. Matthew, the Apostle, is honored, there will be a service of Holy Eucharist at 6:45 a.m. only.  
 Mrs. Edward Bryce, chairman of the apron booth, is asking for aprons to be donated for the bazaar to be held October 14-15.

**Obituaries**

Mr. Levis Sackowicki  
 Mrs. Levis (nee Hoffman) Sackowicki of 5642 Broadway, Depew, N.Y.

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 one week, the first insertion being on the 13<sup>th</sup> day of September, 1962, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

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

SEP 17 1962

19\_\_\_\_

*Wm. J. Hank*  
Notary Public in and for Erie County

(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 Wroblewski and duly put to a vote which resulted as follows:

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

AYES: 7

NOES: 0

ABSENT: 0

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

STATE OF NEW YORK  
COUNTY OF ERIE

RESOLUTION, DATED SEPTEMBER 10, 1962, AUTHORIZING THE ISSUANCE OF \$6,734.80 CAPITAL NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE PURCHASE OF TRACTOR.

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 \$6,734.80 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 of a tractor for use in the Town Parks.

Section 3. It is hereby stated that (a) the maximum cost of said purpose as estimated by the Town Board, is \$6,734.80, 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 26 of Paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five years.

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

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

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

The bond resolution published herewith has been adopted on the 10th day of September, 1962, and the validity of the obligations authorized by such bond resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice; or such obligations were authorized in violation of the provisions of the Constitution of New York.

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



Item No. 16 Cont'd

Section 4. It is hereby determined that said purpose is an object or purpose described in Subdivision 11 (a) (1) of Paragraph a of Section 11.00 of the Local Finance Law and that the period of probable usefulness of said purpose is thirty years.

Section 5. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

Section 6. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and 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 Capital Notes 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 7. This resolution is subject to a permissive referendum and shall take effect at the time and in the manner prescribed by Section 91 of the Town Law.

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

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

AYES: 7

NOES: 0

ABSENT: 0

Posted as follows on the 14th day of September, 1962:

- 1-Town Hall Bulletin Board;
- 2-Forks Fire Hall, Broadway and Union Road;
- 3-U-Crest Fire Hall, Clover Place and Evergreen Street;
- 4- Cleveland Hill Fire Hall, Cleveland Dr. and Merrymont Avenue;
- 5-Pine Hill Fire Hall, Genesee Street and Normandy Avenue;
- 6-Rescue Fire Hall, Pine Ridge Road;
- 7-Doyle Fire Hall No. 1, William and Alaska Street;
- 8-Doyle Fire Hall No.2, Griswold Street and Willowlawn Parkway;
- 9-Bellevue Fire Hall, Como Park Blvd.;
- 10-Hy View Fire Hall, Hyland Avenue.

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

(Affidavit on next page)

12  
47

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

UNION ROAD COMMUNITY  
Sunday morning the Rev  
William Heiberg will preach on  
the topic: "Tired Christians"  
The Cheektowaga Protestant  
Minister Association will meet  
Tuesday at 9 a.m.  
Members of the congregation  
are asked to take note that the  
service will be held Sept. 30



NEAR  
CENTRAL

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 one  
week, the first insertion being on the 13th day  
of September, 1962, and the last inser-  
tion being on the \_\_\_\_\_ day of \_\_\_\_\_,  
19\_\_\_\_, and that not more than six days intervened  
between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this \_\_\_\_\_ day of  
SEP 17 1962

\_\_\_\_\_, 19\_\_\_\_  
*Wm T Hanley*  
Notary Public in and for Erie County

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

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

**NOTICE IS HEREBY GIVEN**  
that the Town Board of the Town of Cheektowaga, in the County of Erie, State of New York, has, on the 10th day of September, 1962, adopted pursuant to the Local Finance Law of New York, a bond resolution which

- (1) authorizes the issuance of \$180,500 Serial Bonds and \$9,500 Capital Notes to finance the following specific object or purpose: the erection of a new public library building of Class "A" construction as defined in Subdivision 11(a) (1) of Paragraph a of Section 11.00 of the Local Finance Law, on the Town Park site located on the west side of Harlem Road at the corner of Greenleaf Lane, and the acquisition of the original furnishings, equipment and apparatus suitable for the use of such building as a public library building, and the grading and other improvement of its site, and
- (2) states the estimated cost of such specific object or purpose to be \$189,000, and that current funds amounting to \$9,500 will be provided for the financing of such purpose by the issuance of the Capital Notes authorized by the said resolution, and that the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds and by the use of said current funds and by the use of donations to be made by Victor Reinstein under agreement dated August 20, 1962, and
- (3) determines the period of probable usefulness of said purpose to be thirty years, and
- (4) determines that the maturity of said bonds will be in excess of five years, and
- (5) states that the validity of said Serial Bonds and Capital Notes or of any bond anticipation notes issued in anticipation of

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

Said resolution was adopted subject to a permissive referendum under the provisions of Article 7 of the Town Law of New York, and petitions protesting against such resolution and requesting that it be submitted to the qualified electors of the Town of Cheektowaga for their approval or disapproval, may be filed with the Town Clerk at any time within thirty days after the date of the adoption of said resolution.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA.

Dated: September 10, 1962.  
KENNETH T. HANLEY,  
Town Clerk of the Town of  
s13 Cheektowaga, New York

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

BOND RESOLUTION, DATED SEPTEMBER 10, 1962, AUTHORIZING THE ISSUANCE OF \$52,000 SERIAL BONDS AND \$3,000 CAPITAL NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE RECONSTRUCTION OF THE TOWN'S INCINERATION PLANT.

-----

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 \$52,000 and its Capital Notes of the aggregate principal amount of \$3,000, 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 is the reconstruction of the plant maintained by said Town for the incineration or disposal of ashes, garbage or refuse, whether or not including original equipment, machinery or apparatus, or the replacement of equipment, machinery or apparatus.

Section 3. It is hereby stated that (a) the maximum cost of heretofore been authorized to be applied to the payment of the cost of such purpose, and (c) current funds in the amount of \$3,000 will be provided for the financing of such purpose prior to the issuance of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said bonds, and (d) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds and Capital Notes.

Section 4. It is hereby determined that said purpose is an object or purpose described in Subdivision 6 of Paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is twenty years.

Section 5. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

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

Section 7. This resolution is subject to a permissive referendum and shall take effect at the time and in the manner prescribed by Section 81 of the Town Law.

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

- |                       |            |
|-----------------------|------------|
| Supervisor Holtz      | Voting AYE |
| Councilman Wroblewski | Voting AYE |
| Councilman Bystrak    | Voting AYE |
| Councilman Fath       | Voting AYE |
| Councilman Trojanoski | Voting AYE |



Item No. 17 Cont'd

Councilman Kornecki  
Councilman Kaczmarek

Voting AYE  
Voting AYE

AYES: 7

NOES: 0

ABSENT: 0

Posted as follows on the 14th day of September, 1962:

- 1-Town Hall Bulletin Board;
- 2-Forks Fire Hall, Broadway and Union Road;
- 3-U-Crest Fire Hall, Clover Place and Evergreen Street;
- 4-Celveland Hill Fire Hall, Cleveland Dirve and Merrymont Avenue;
- 5-Pine Hill Fire Hall, Genesee Street and Normandy Avenue;
- 6-Rescue Fire Hall, Pine Ridge Road;
- 7-Doyle Fire Hall No. 1, William and Alaska Street;
- 8-Doyle Fire Hall No. 2, Griswold Street and Willowlawn Parkway;
- 9-Bellevue Fire Hall, Como Park Blvd.;
- 10-Hy-View Fire Hall, Hyland Avenue.

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

(Affidavit on next page)

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23

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

**RESOLUTION**

That the Town Board of the Town of Cheektowaga, in the County of Erie, in the State of New York, has, on the 10th day of September, 1962, adopted pursuant to the Local Finance Law of New York, a bond resolution which

(1) authorizes the issuance of \$82,000 Serial Bonds and \$3,000 Capital Notes to finance the specific object or purpose of reconstructing the plant maintained by said Town for the incineration or disposal of ashes, garbage or refuse, whether or not including original equipment, machinery or apparatus.

(2) determines the maximum cost of such purpose to be \$85,000, of which \$82,000 shall be financed with the proceeds of said Serial Bonds and \$3,000 will be financed with the proceeds of said Capital Notes which are to be issued prior to the issuance of such Serial Bonds or any bond anticipation notes issued in anticipation of the sale of such bonds, and

(3) determines the period of probable usefulness of said purpose to be twenty years and that the maturity of said bonds will be in excess of five years, and

(4) states that the validity of said Serial Bonds and Capital Notes or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with; and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or if said obligations are authorized in violation of the provisions of the Constitution of New York.

Said resolution was adopted subject to a permissive referendum under the provisions of Article 7 of the Town Law of New York, and petitions protesting against such resolution and requesting that it be submitted to the qualified electors of the Town of Cheektowaga for their approval or disapproval, may be filed with the Town Clerk at any time within thirty days after the date of the adoption of said resolution.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA.

Dated: September 10, 1962  
KENNETH T. HANLEY,  
Town Clerk of the Town of  
Cheektowaga, New York

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

WHEREAS, the Erie County Water Authority does, at times, hire subcontractors to install water lines and,

WHEREAS, said contractors have, at times, installed said water lines with utter disregard for the rights of property owners,

NOW THEREFORE, be it resolved that prior to installation of any water lines by the Erie County Water Authority the approval of the Town Engineer must be secured after having presented proper plans for any construction and upon the presentation to the Town of Cheektowaga a good and sufficient bond to guarantee the proper installation of such water lines.

AND PROVIDED FURTHER THAT installations shall not be closed until having been inspected and approved by the Town Engineer.

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

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

AYES: 7

NOES: 0

ABSENT: 0

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14  
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Item No. 19 Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the Town of Cheektowaga requires an easement over Barone Property for sewer purposes in accordance with easement agreement attached hereto,

THEREFORE, be it resolved that the supervisor be and he hereby is authorized to execute that attached easement on behalf of the Town of Cheektowaga and,

BE IT FURTHER resolved that the Town Attorney be and he hereby is directed to record said easement in the Erie County Clerk's Office.

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

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

AYES: 7

NOES: 0

ABSENT: 0

33  
13

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

WHEREAS, the Town of Cheektowaga has requested an easement from Glen G. Pauley for the Cardarelli Extension of sewer district No. 7 and,

WHEREAS, Glen G. Pauley has submitted an executed agreement accordingly and therefore be it resolved that the Supervisor be and he hereby is authorized to execute said easement on the behalf of the Town of Cheektowaga, and,

Item No. 20 Cont'd

BE IT FURTHER resolved that the Town Attorney be and he hereby is directed to record said easement in the Erie County Clerk's Office.

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

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

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AYES: 7

NOES: 0

ABSENT: 0

Item No. 21  
its adoption:

Councilman Kornecki presented the following resolution and moved

WHEREAS, Jeanne Heimerl has offered to sell subdivision lots numbers 129 and 130 on Toelsin Road to the Town of Cheektowaga for the sum of \$1,750 and,

WHEREAS, the Town Engineer recommends the purchase of this property for drainage purposes, now therefore be it resolved that the Supervisor be and he hereby is authorized to make payments to Jeanne Heimerl for the sum of \$1,750 for the acquisition of said lots and,

BE IT FURTHER resolved that the Town Attorney be and he hereby is directed to secure proper conveyance of said premises and record the same in the Erie County Clerk's Office.

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

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

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AYES: 7

NOES: 0

ABSENT: 0

Item No. 22  
moved its adoption:

Councilman Trojanoski presented the following resolution and

RESOLVED, that Nelson Reger be appointed as Treasurer of Bellevue Fire District No. 9 in the place and stead of Stanley Gorbett, who has moved out of the said Fire District.

Seconded by Councilman Wroblewski.

22

CARRIED: AYES: 7

Item No. 23  
moved its adoption:

Councilman Wroblewski presented the following resolution and

RESOLVED, that the Chief of Police be authorized and directed to erect the following NO PARKING AT ANY TIME signs at the following locations:

Henry Street: Both sides of the street from Cayuga Creek Road to a point 564 feet south of Cayuga Creek Road;

Cayuga Creek Road: Both sides of the road from a point 134 feet east of Henry Street to a point 324 feet west of Henry Street.

Item No. 23 Cont'd

Seconded by Councilman Kaczmarek.

18  
+1

CARRIED: AYES: 7

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

WHEREAS, this Town Board has received numerous complaints of the need of a traffic signal light at the intersection of Genesee Street and Beach, Town of Cheektowaga, New York,

BE IT RESOLVED, that the State Traffic Commission be authorized and directed to make a survey of said intersection to ascertain whether or not such a signal is needed.

Seconded by Councilman Wroblewski.

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+1

CARRIED: AYES: 7

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

WHEREAS, a regular stop and go signal light is deemed necessary on Union Road. Either at the corner of Northcrest, Southcrest of Chapel, in the Town of Cheektowaga

NOW THEREFORE be it resolved that a request be made to the New York State Traffic Commission for a study of the same and an installation pursuant thereto,

BE IT FURTHER resolved that the Town Clerk be and he hereby is directed to submit a certified copy of this resolution to the New York State Traffic Commission.

Seconded by Councilman Bystrak and duly put to a vote.

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

AYES: 7

NOES: 0

ABSENT: 0

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

RESOLVED, that the resignation of Frances A. Keches, Police Stenographer, be accepted as of this date.

Seconded by Councilman Trojanoski.

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CARRIED: AYES: 7

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

RESOLVED, that the following named persons be employed as extra clerks to assist in the preparation of the 1962-63 School Tax Bills:

Jean Stachowski  
 Jean Zalikowski  
 Irene Krawczyk  
 Mae Karaszewski  
 Charlotte Nawrocki

Item No. 27 Cont'd

Rosemary Ohl  
Bonnie Gorlewski  
doreen Kuras  
Celia Makowiak

Seconded by Councilman Kaczmarek.

31  
38

CARRIED: AYES: 7

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

RESOLVED, that Joanne Gomolski be re-appointed as Secretary to the Police Department, effective immediately.

Seconded by Councilman Kornecki.

31  
12

CARRIED: AYES: 7

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

TRANSFERS

	<u>TO</u>	<u>FROM</u>
8-05-3-07	\$ 508.65	
8-90-1-00		\$ 508.65
8-06-3-16	500.00	
8-06-3-11		500.00
8-07-3-27	5,000.00	
8-90-1-00		5,000.00
8-08-1-33	346.17	
8-90-1-00		346.17
8-28-3-51	800.00	
8-28-3-52		800.00
8-34-3-56	145.12	
8-34-3-58		145.12
8-48-3-36	162.19	
8-90-1-00		162.19
7-41-0-15	13.92	
7-41-0-01		13.92
7-44-0-07	2,218.73	
7-44-0-06		2,218.73

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

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

AYES: 7

NOES: 0

ABSENT: 0

The resolution was thereupon declared duply adopted.

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

WHEREAS, the Town Highway Superintendent has approved the following named highways as town highways,

BE IT RESOLVED, that this Town Board does hereby accept same as town highways and that the same be maintained by the Highway Department of the Town of Cheektowaga, New York:

Nagel Drive a distance of 1000 feet from the Nagel Drive Bridge running north to the New York State Electric & Gas Power Line;

Lloyd Drive a distance of 1000 feet;

Nagel Drive from the north line of Joseph Street southerly 293.44 feet to the northerly line of the New York State Electric & Gas Company property.

Seconded by Councilman Kaczmarek.

13

CARRIED: AYES: 7

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

RESOLVED, that this Town Board does hereby accept a sixty (60) foot right-of-way for Oriole Place from the original 104 foot width, dedicated to the Town of Cheektowaga by deed from the Pelvion Land Company, Inc., a distance of 1348 feet more or less running from the west line of Frederick Drive to the west line of Wheaton Drive.

Seconded by Councilman Trojanowski.

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CARRIED: AYES: 7

Item No. 32 Councilman Trojanoski presented the following resolution and moved its adoption:

RESOLVED, that the C.M.H. Company be awarded the bid to construct Storm Trunk Sewers Ellsworth Drive and Barone Circle, Extension to District No. 7, in the amount of \$76,210.00.

Seconded by Councilman Kaczmarek.

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CARRIED: AYES: 7

Item No. 33 Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that a School Crossing Guard be placed at the new John F. Kennedy Jr-Sr High School on Cayuga Creek Road.

Seconded by Councilman Kornecki.

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CARRIED: AYES: 7

Item No. 34 Councilman Fath presented the following resolution and moved its adoption:

RESOLVED, that any Town Board Member wishing to attend the meeting on Local Government in New York City on September 12, 1962, be approved and that his reasonable expense be a proper town charge.

Seconded by Councilman Bystrak.

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CARRIED: AYES: 7

Item No. 35 This being the time and place advertised for a public hearing on the proposed improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor, such proof was duly filed.

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
Constance Lane	Vern Lane 942 feet in an easterly direction	
	to the east line of the property presently owned by Cayuga Masonry (House No.25)	

TYPE OF STREET LIGHTING INSTALLATION

5 Y 19 standards - under ground conduit - 4000 lumen

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

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

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

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
Constance Lane	Vern Lane 942 feet in an easterly direction to the	
	east line of the property presently owned by Cayuga Masonry (House No. 25).	

TYPE OF STREET LIGHTING INSTALLATION

5 Y 19 standards - under ground conduit - 4000 lumen

and heard all persons interested in the subject thereof.

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

(a) that such petition is signed and acknowledged as required by law and is otherwise sufficient, and

(b) that it is in the public interest to grant in whole the relief sought, by the installation of street lighting equipment hereinabove particularly described along said street, and

BE IT FURTHER RESOLVED, that such petition is hereby approved and the installation of such street lighting equipment along said highways is hereby authorized, and that the Supervisor & the Town Attorney are hereby authorized and directed to have the installation of said street lighting equipment made by the utility company supplying electrical service to the locality in which the said public highways are located, under such contracts as may be required to effectuate such installations and as approved by the said Town Attorney, and

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

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

Item No. 35 Cont'd

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

AYES: 7

NOES: 0

ABSENT: 0  
27  
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Item No. 36 Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the Supervisor be authorized and directed to purchase from the Westinghouse Manufacturing Corporation Five (5) Y 19 street lighting standards to be used in Constance Lane Special Street Lighting District.

Seconded by Councilman Trojanoski.

CARRIED: AYES: 7

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Item No 37 This being the time and the place advertised for a public hearing on the proposed improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor, such proof was duly filed.

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
Madine Drive	Santin Drive	Santin Drive

TYPE OF STREET LIGHTING INSTALLATION

12 Y 19 standards - 4000 lumen - under ground conduit

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

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

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

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
Madine Drive	Santin Drive	Santin Drive

TYPE OF STREET LIGHTING INSTALLATION

12 Y 19 standards - 4000 lumen - under ground conduit

and heard all persons interested in the subject thereof.

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

Item No. 37 Cont'd

(a) that such petition is signed and acknowledged as required by law and is otherwise sufficient, and

(b) that it is in the public interest to grant in whole the relief sought, by the installation of street lighting equipment hereinabove particularly described along said streets, and

BE IT FURTHER RESOLVED that such petition is hereby approved and the installation of such street lighting equipment along said highways is hereby authorized, and that the Supervisor and the Town Attorney are hereby authorized and directed to have the installation of said street lighting equipment made by the utility company supplying electrical service to the locality in which the said public highways are located, under such contracts as may be required to effectuate such installation and as approved by the said Town Attorney, and

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

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

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

AYES: 7

NOES: 0

ABSENT: 0

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Item No. 38  
Its adoption:

Councilman Bystrak presented the following resolution and moved

RESOLVED, that the Supervisor be authorized and directed to purchase from the Westinghouse Manufacturing Corporation Twelve (12) Y 19 lighting standards to be used in Nadine Drive Special Street Lighting District.

Seconded by Councilman Trojanoski.

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CARRIED: AYES: 7

Item No. 39 The following resolution was moved by Councilman Kornecki and seconded by Councilman Bystrak:

That the following claims be approved as presented:

General Fund	Nos.	6549	to	6612	inclusive
	Nos.		to		inclusive
Highway Fund	Nos.	1999	to	2029	inclusive
	Nos.		to		inclusive
Special Districts	Nos.	2616	to	2638	inclusive
	Nos.		to		inclusive
Part Town Fund	Nos.	795	to	804	inclusive
C & I	Nos.	391	to	393	inclusive
Tax	Nos.				
Health	Nos.				

6

AYES: 7

NOES: 0

ABSENT: 0

Item No. 40 Moved by Councilman Trojanoski, seconded by Councilman Wroblewski that the Town Clerk be authorized and directed to issue building permit on applications approved by the Building Inspector in his communication dated September 10th, 1962, except the applications of Mary Morgan to move dwellings from Shanley and Dingens Street to Bismark Street.

Item No. 41 REZONING GRANTED-STEFAN AND FLORENCE KOLADZINSKI

Moved by Councilman Wroblewski, seconded by Councilman Kaczmarek:

WHEREAS, the Zoning Board of Appeals of the Town of Cheektowaga, Erie County, New York, held a public hearing for the purpose of considering the application of Stefan and Florence Koladzinski for the rezoning of premises from Residential District to Business District of the property hereinafter described and amending the Zoning Map and Ordinance accordingly, and

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

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

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

DESCRIPTION

THOSE TRACTS OR PARCELS OF LAND situated in the Town of Cheektowaga, County of Erie, State of New York, being part of Farm Lot 147, Township 10, Range 7 of Buffalo Creek Reservation, and according to a map of Kossler Tract Subdivision filed in Erie County Clerk's Office under Map Cover Number 917, are known and distinguished as Subdivision Lots One (1) and Two (2) in Block B. (Located on the Southeast corner of William & Charles St.)

CARRIED: AYES: 7

The above was posted on the Town Hall Bulletin Board on the 14th day of September, 1962.

Item No. 42 REZONING GRANTED-EDWARD C. DRABEK

Moved by Councilman Trojanoski, seconded by Councilman Kaczmarek:

WHEREAS, THE Zoning Board of Appeals of the Town of Cheektowaga, Erie County, New York, held a public hearing for this purpose of considering the application of Edward C. Drabek for the rezoning of premises from Residential District to Business District of the property hereinafter described and amending the Zoning Map and Ordinance accordingly, and

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

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

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

DESCRIPTION

All that Tract or Parcel of Land situate in the Town of Cheek-

Item No. 42 Cont'd

Cattaraugus, County of Erie and State of New York, being part of Lot 19, Township 11, Range 7 of the Holland Land Company's Survey, and further described as:

Beginning at the northwestern intersection of Beach Road and Cleveland Drive, and proceeding thence northerly along the westerly boundary of Beach Road, a distance of one hundred thirty-eight and sixty one-hundredths (138.60) feet to a stake; thence westerly at an angle of eighty-six degrees and thirty-eight minutes (86° 38") with Beach Road's westerly boundary, one hundred and twenty-five (125.00) feet to a stake; thence southerly parallel with the westerly line of lands heretofore conveyed to grantor and his wife, Louise Binner, by warranty deed recorded at Liber 1667 of Deeds, Page 60, in the Erie County Clerk's office, a distance of one hundred and sixty-nine (169.00) feet to a stake; thence easterly along the northerly boundary of Cleveland Drive a distance of one hundred and nineteen and twenty-eight hundredths (119.28) feet to the point or place of beginning.

Duly put to a vote which resulted as follows:

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

CARRIED: AYES: 5

NOES: 2

ABSENT: 0

The above was posted on the Town Hall Bulletin Board on the 14th day of September, 1962.

Item No. 43 Mr. A. Michalski of Harlem Road was granted the floor and related to the Board that he does object to the lots on Glidden Street being rezoned for business purposes, that it will cause a hazard and that the Town Board should deny the application. 19

Mr. Edward Slisz, Glidden Street, notified the Board that there was more than one objection to the above rezoning and requested the Board to advise the Zoning Board of Appeals on this matter. 19

Item No. 44 Moved by Councilman Kaczmarek, seconded by Councilman Fath, to adjourn.

SEAL

Kenneth T. Hanley, Town Clerk.

Meeting No. 20

Cheektowaga, New York  
September 17, 1962

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga Erie, County, New York, held at the Town Hall in the said Town of Cheektowaga on the 17th day of September 1962, at 7:30 p.m., E.D.S.T., there were:

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

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

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

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

Item No. 3 Ordered received and filed communication from the Executive Chamber at Albany, New York, communication relating to the Governor vetoing that portion of the minutes of the August 13th meeting of the Niagara Frontier Port Authority relating to the proposed runway extension. 8  
42

Item No. 4 Ordered received and filed communication from Henry V. Marlin, Chairman of the Cheektowaga Library Committee recommending as a site for a library east of Harlem Road on William Street. 10  
44

Item No. 5 Referred to the Chief of Police a complaint about over-loaded trucks using Vern Lane. 18  
13

Item No. 6 Referred to the Deputy Town Attorney a communication from the Cheektowaga Library Committee requesting that the Town purchase land at the north-east corner of William and Walkowiak Street for library purposes. 33  
44

Item No. 7 Referred to the Chief of Police communication from the Cleveland Hill Fire District No. 6, requesting that Woodridge Avenue be subjected to one side parking. 18  
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Item No. 8 Referred to the Town Board and the Town Attorney communication from Benderson Development Company relating to 2700 Walden Avenue. 33  
34  
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Item No. 9 Movey by Councilman Fath, seconded by Councilman Trojanowski, that the Town Clerk be authorized and directed to publish twice in the Depew Herald & Cheektowaga News and the Cheektowaga Times the new 1962 Election Map of the Town of Cheektowaga with description of each district. 11  
35

CARRIED: AYES: 5 ABSENT: 2

Item No. 10 Moved by Councilman Kaczmarek, seconded by Councilman Kornecki, that the request of the Highway Superintendent to attend the 33rd Annual Conference of the N.Y. State Assn. of Town Superintendents of Highways, Inc., at Elmira, New York, on September 18th, 19th, 20th and 21st, 1962, be granted and that his expenses be a reasonable charge same to be charged to Item 4 of Highway Fund. 13

CARRIED: AYES: 5 ABSENT: 2

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

WHEREAS, the Town of Cheektowaga entered into a lease agreement

Item No. 11 Cont'd

with Paul E. and Carl E. Merz, doing business as Sharon Motors covering premises on the south east corner of Union Road and George Urban Blvd. for a period commencing October 1st 1957 and expiring on October 1st 1962 at an annual rental of \$25 per year, for parking purposes, and having procured a public liability policy in the amount of \$50,000 to protect the Town of Cheektowaga from any claim or demand or action for personal injuries or property damage or otherwise and

WHEREAS the lessees wishes to extend this lease for an additional 5 year period to expired October 1st 1967,

NOW THEREFORE, be it resolved that the lease of said premises be extended on the same terms and conditions for a 5 year period expiring October 1st 1967.

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

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

AYES: 5

NOES: 0

ABSENT: 2

33  
14  
42

Item No. 12 adoption:

Councilman Fath presented the following resolution and moved its adoption:

WHEREAS, the Town of Cheektowaga requires certain easements for sewer purposes on George Urban Blvd. and,

WHEREAS, Anthony L. Polito and Elleen Polito his wife have signed an easement as requested.

NOW THEREFORE be it resolved that the Supervisor be and he hereby is authorized to execute the attached easement on behalf of the Town of Cheektowaga and,

BE IT FURTHER resolved that the Town Attorney be directed to record said easement in the Erie County Clerk's Office.

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

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

AYES: 5

NOES: 0

ABSENT: 0

33  
42

Item No. 13 adoption:

Councilman Fath presented the following resolution and moved its adoption:

WHEREAS, the Town of Cheektowaga has requested certain easements for the extension of sewer district No. 7 (Cardarelli Extension) and

WHEREAS, four easements have been signed and submitted by Louis Muskin, Alfred and Ann Michel, and Laretta H. Fisher, as per attached instruments,

NOW THEREFORE, be it resolved that the Supervisor be and he hereby is authorized to execute said agreements on behalf of the Town of Cheektowaga and,

BE IT FURTHER resolved that the Town Attorney be directed to re-







STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

**NOTICE**

High School or telephone number for the course at Maryvale interested adults may register for 10 weeks starting Sept. 26 Wednesday evenings from 7 to 9. Classes will be conducted at Maryvale, etc. Subjects to be discussed at the evening classes include: wills, crimes, accidents, real estate, adoption, divorces, separations, etc. A course of "Law Everyone Should Know" will be included in the Adult Education program of the Maryvale School System. A project of the Commission on Adult Education of the New York State Bar Association, in conjunction with the Maryvale School System, the course will be taught by William G. Muehbauser, attorney. Subjects to be discussed at the evening classes include: wills, crimes, accidents, real estate, adoption, divorces, separations, etc. A course of "Law Everyone Should Know" will be included in the Adult Education program of the Maryvale School System. A project of the Commission on Adult Education of the New York State Bar Association, in conjunction with the Maryvale School System, the course will be taught by William G. Muehbauser, attorney.

**Adult Ed. Law Course At Maryvale**

NOT HAVE AN ADEQUATE KNOWLEDGE OF THE ENGLISH LANGUAGE. One should not be late to enroll in this course. The level of instruction will be geared to the people enrolled. High School Equivalency: For people who have not completed high school and would like to prepare for the equivalency examination.

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 September, 1962, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this \_\_\_\_\_ day of SEP 22 1962

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

**LEGAL NOTICE**  
**SERIAL BOND**  
RESOLUTION 17, 1961. AFTER  
\$150,000 SERIAL BONDS OF  
THE TOWN OF CHESTEROW,  
AGA, IN THE COUNTY OF  
ERIE, PURSUANT TO THE  
LOCAL FINANCE LAW.

STATE OF NEW YORK  
COUNTY OF ERIE

} ss.:

WHEREAS, Drainage District  
No. 7, hereinafter described, is  
a drainage district of the Town  
of Chesterow, in the County  
of Erie, duly established by the  
Town Board of said Town, and  
as such, has constructed, main-  
tained and operated a surface  
drainage system for said Dis-  
trict in accordance with Ar-  
ticle 12-A of the Town Law of  
New York; NOW, THERE-  
FORE,

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

Section 1. The Town of  
Chesterow, in the County of  
Erie, shall issue its Serial  
Bonds of the aggregate prin-  
cipal amount of \$150,000, pur-  
suant to the Local Finance Law  
of New York, in order to fi-  
nance the specific purpose  
hereinafter described.

Section 2. The specific pur-  
pose hereinafter referred to as  
"purpose" to be financed pur-  
suant to this resolution is the  
acquisition of additional land,  
and for the drainage system  
improvement by said Drainage  
District No. 7, consisting of  
surface water drains and ap-  
proachments suitable for their  
operation, in accordance with the  
order adopted by the Town  
Board on December 18, 1961,  
and the plan and estimate of  
such additional facilities re-  
ferred to in said order.

Section 3. It is hereby stated and  
that (a) the maximum cost of  
said purpose, as estimated by  
the Town Board, is \$150,000,  
and (b) no money has hereto-  
fore been authorized to be ap-  
plied to the payment of the  
cost of said purpose, and (c) the  
Town Board plans to finance  
the cost of said purpose entire-  
ly from funds raised by the is-  
sues of said Serial Bonds,  
and (d) all such cost is to be  
paid by assessments upon bene-  
ficial 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 be in ex-  
cess of five years.

Section 4. It is hereby deter-  
mined that said purpose is an  
object or purpose described in  
Subdivision 4 of Paragraph a of  
Section 11.00 of the Local Fi-  
nance Law, and that the period  
of probable usefulness of said  
purpose is thirty years.

Section 5. This resolution  
shall be published in full by  
the Town Clerk of said Town,  
together with a notice in sub-  
stantially the form prescribed  
by Section 61.00 of said Local  
Finance Law, and such publi-  
cation shall be in the DEERW-  
ING HERALD AND CHESTEROW-  
AGA NEWS, a newspaper pub-  
lished and having a general cir-  
culation in said Town. The val-  
idity of said Serial Bonds or of  
any bond anticipation notes is-  
sued in anticipation of the sale  
of said Serial Bonds may be  
contested only if such obliga-  
tions were authorized for an ob-  
ject or purpose for which said  
Town is not authorized to ex-  
pend money or the provisions  
of law which should be com-  
plied with at the date of pub-  
lication of this resolution are  
not substantially complied with,  
and an action, suit or proceed-  
ing contesting such validity is  
commenced within twenty  
days after the date of such pub-  
lication; or if said obligations  
are authorized in violation of  
the Constitution of New York.  
Section 6. This resolution  
shall take effect immediately  
upon its adoption.

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

Section 5. 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 DEWEY HERALD AND GENESEOTW-AGA 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 questioned only if such obligations were 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. This resolution shall take effect immediately upon its adoption.

The bond resolution published herewith has been adopted on the 17th day of September, 1962, and the validity of the obligations authorized by such bond resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice; or such obligations were authorized in violation of the provisions of the Constitution of New York.

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

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

BE IT RESOLVED, that the following transfers within the General Fund, Special Districts Funds and the Construction and Improvement Fund of the Town of Cheektowaga be effected:

<u>TRANSFERS</u>	<u>TO</u>	<u>FROM</u>
7-60-0-00	\$ 368.95	
80-19-101		\$ 368.95
8-40-7-26	5,866.32	
80-19-109		5,866.32
8-40-7-26	204.75	
80-19-111		204.75
7-65-0-00	1,015.98	
80-19-113		1,015.98
7-44-0-18	2,642.44	
7-44-0-06		2,642.44
7-44-0-18		2,642.54
80-19-114	2,642.44	
7-57-0-01	685.26	
80-19-115		685.26
8-40-7-26	1,258.92	
80-19-116		1,258.92
7-77-0-00	924.85	
80-19-117A		924.85
7-79-0-00	288.56	
80-19-117B		288.56
7-78-0-00	847.27	
80-19-117C		847.27
7-69-0-00	1,165.30	
80-19-119		1,165.30
7-27-0-01	2,082.02	
80-19-120		2,082.02
8-40-7-26	9,419.68	
80-19-121		23.85
5-19-139		9,395.83
7-49-0-01	652.71	
80-19-122		652.71
8-40-7-26	720.22	
80-19-127		720.22
7-66-0-00	278.89	
80-19-131		278.89

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

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

AYES: 5

NOES: 0

ABSENT: 2

2

The resolution was thereupon declared duly adopted.

Item No. 19 Moved by Councilman Trojanoski, seconded by Councilman Kaczmarek, that the Town Clerk be authorized and directed to issue building permits on applications approved by the Building Inspector in his communication dated September 19, 1962, except the application of Whitmier Ferris Inc., and Erving Sultz.

CARRIED: AYES: 5 ABSENT: 2

Item No. 20 Moved by Councilman Wroblewski, seconded by Councilman Trojanoski that the application of Santora Construction Company to erect a super-market at the corner of Glidden and William Street be granted.

Item No. 20 Cont'd

Duly put to a vote which resulted as follows:

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

CARRIED: AYES: 4 NAYES: 1 ABSENT: 2

Item No. 21 The Following resolution was moved by Councilman Kornecki and seconded by Councilman Wroblewski:

That the following claims be approved as presented:

General Fund	Nos.	6614	to	6639	inclusive
	Nos.		to		inclusive
Highway Fund	Nos.	2031	to	2042	inclusive
	Nos.		to		inclusive
Special Districts	Nos.	2641	to	2651	inclusive
	Nos.		to		inclusive
Part Town Fund	Nos.	806	to	815	inclusive
C & I	Nos.	394			
Tax	Nos.				
Health	Nos.				

AYES: 5 NOES: 0 ABSENT: 2 6

Item No. 22 REZONING GRANTED-SANTORA CONSTRUCTION COMPANY

Moved by Councilman Kaczmarek, seconded by Councilman Trojanoski:

WHEREAS, the Zoning Board of Appeals of the Town of Cheektowaga, Erie, County, New York, held a public hearing for the purpose of considering the application of Santoro Construction Company for the rezoning of premises from Residential District to Business District of the property hereinafter described and amending the Zoning Map and Ordinance accordingly, and

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

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

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

DESCRIPTION - SCHEDULE "A"

All that tract or parcel of land situate in the Town of Cheektowaga, County of Erie, and State of New York, being part of Lot No. 73, Township 10, Range 7 of the Buffalo Creek Indian Reservation and further distinguished as Subdivision Lots Numbers Forty-eight (48), Forty-nine (49), and Fifty (50) of Block 7 as shown on a map of Bishop Land Company filed in the Erie County, Clerk's Office under map cover No. 311 and further described as follows:

Commencing at the point of the intersection of the southerly



Item No. 23 Cont'd

Mr. Garver, "What has been done on the Anti Noise Ordinance?"

Mr. Kitzinger, "Mr. Delahunt and myself have done work on this and have conferred with Noel Simmons."

Mr. Babinski representing the Town Park Home Owners Association, "Sound readings have been taken."

"Will a sound test be taken before the jets come in?" 42

Item No. 24 Moved by Councilman Kaczmarek, seconded by Councilman Kornecki, to adjourn to September 26th, 1962, at 7:30 p.m., E.D.S.T.

SEAL

Kenneth T. Hanley, Town Clerk.

MEETING NO. 21

Cheektowaga, New York  
September 26, 1962

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 in the said Town of Cheektowaga on the 26th day of September 1962, at 7:30 p.m., E.D.S.T., there were:

- |             |                       |                |
|-------------|-----------------------|----------------|
| PRESENT:    | Felix T. Wroblewski   | Councilman     |
|             | Joseph Kornecki       | Councilman     |
|             | Alancin M. Fath       | Councilman     |
|             | Michael J. Kaczmarek  | Councilman     |
|             | Joseph M. Trojanoski  | Councilman     |
|             | Stanley J. Bystrak    | Councilman     |
| <br>ABSENT: | <br>Benedict T. Holtz | <br>Supervisor |

Also present were: Town Clerk Hanley; Town Attorney Kitzinger and Robert Neubauer of Holloway and Company.

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

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

Item No. 3 The Chairman advised the Town Board that this was the time and the place advertised for a public hearing on the Estimate and Assessment Roll relating to Special Districts spreading costs on a Benefit Basis, for the year 1963.

The Town Clerk then proceeded to read aloud the Special District budget for the year 1963.

The Chairman then asked if anyone wished to speak either in favor of or against the proposed budget.

No one spoke either in favor of or against.

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, Benedict T. Holtz, Supervisor of the Town of Cheektowaga, New York, having presented a Budget and Assessment Roll showing the various sums of money that were and will be required to defray the expenses of Special Districts in the Town of Cheektowaga, New York, and

WHEREAS, this Board has carefully considered the said Estimates and Assessment Roll of the amounts set forth as Special Districts, respectively, and does determine same to be necessary and required aforesaid and set forth namely:

SEWER DISTRICTS

DISTRICT NO. 1

Rent to City of Buffalo	\$ 585.87	<u>\$ 585.87</u>
To be raised by assessment		

DISTRICT NO. 2

Rent and maintenance payable to Sewer District No. 5	<u>\$10,000.00</u>	
To be raised by assessment		<u>\$10,000.00</u>

DISTRICT NO. 3

APPROPRIATIONS

Personal services	\$ 2,300.00
Services of Superintendent	

## Item No. 3 Cont'd

<u>Equipment</u>		
Various	1,000.00	
<u>Other expenses</u>		
Operation of disposal plant	45,650.00	
Real estate taxes	6,400.00	
Maintenance of sewers	12,000.00	
Bond principal	14,000.00	
Bond interest	8,236.00	
Payments to General Fund:		
N.Y.State Retirement	4,100.00	
Social Security	1,200.00	
Group Health Insurance	600.00	
Services of Engineer	2,000.00	
Services of Town Attorney	1,000.00	
Erie County Chargebacks	1,149.77	
<b>TOTAL APPROPRIATIONS</b>	<b><u>\$99,635.77</u></b>	
<u>REVENUES</u>		
Rentals: William Street tie-in	\$ 500.00	
Franklin Street tie-in	1,800.00	
N.Y.Central Railroad	800.00	
Jane Drive tie-in	2,400.00	
<b>TOTAL REVENUES</b>	<b><u>\$ 5,500.00</u></b>	
To be raised by assessment		<b><u>\$94,135.77</u></b>
<u>DISTRICT NO. 4</u>		
Rent and maintenance payable to Sewer District No. 5	\$10,000.00	
Operation of pump station	<u>1,200.00</u>	
To be raised by assessment		<b><u>\$11,200.00</u></b>
<u>DISTRICT NO. 5</u>		
<u>APPROPRIATIONS</u>		
<u>Personal services</u>		
Services of Superintendent	\$ 4,400.00	
<u>Purchase of equipment</u>		
Seweroder	5,000.00	
Rods, drills, etc.	3,000.00	
<u>Other expenses</u>		
Operation of disposal plant	179,650.00	
Maintenance of sewers	35,000.00	
Bond principal	62,000.00	
Bond interest	36,449.25	
Engineering (NCV)	5,480.52	
Payments to General Fund:		
N.Y.State Retirement	10,000.00	
Social Security	3,000.00	
Group Health Insurance	1,600.00	
Services of Engineer	4,500.00	
Services of Town Attorney	1,500.00	
Erie County chargebacks	109.36	
<b>TOTAL APPROPRIATIONS</b>	<b><u>\$351,689.13</u></b>	
<u>REVENUES</u>		
Sun Oil Company	\$ 100.00	
Josephine Asmondus	75.00	
Port Authority Rent	12,000.00	
Rent and maintenance from:		
Sewer District No. 2	10,000.00	
Sewer District No. 4	10,000.00	
Sewer District No. 6	21,700.00	
Sewer District No. 7	34,600.00	
Andres Place Lateral Sewer	1,777.35	
Sewer District No. 7 depew Extension	8,000.00	

Item No. 3 Cont'd

Carderelli Extension	8,000.00	
Maintenance from:		
Storm Sewer District No. 1	1,000.00	
Storm Sewer District No. 2	1,000.00	
Storm Sewer District No. 3	1,500.00	
Storm Sewer District No. 4	1,000.00	
Storm Sewer District No. 5	1,000.00	
Storm Sewer District No. 6	500.00	
Storm Sewer District No. 7	500.00	
<b>TOTAL REVENUES</b>	<u>\$112,752.35</u>	
To be raised by assessment		<u>\$238,936.78</u>
<b><u>DISTRICT NO. 5 - WALDEN EXTENSION</u></b>		
Bond principal	\$ 3,000.00	
Bond interest	<u>1,937.00</u>	
To be raised by assessment		<u>\$ 4,937.00</u>
<b><u>DISTRICT NO. 5 PEINKOFER EXTENSION</u></b>		
Bond principal	\$ 1,000.00	
Bond interest	<u>450.00</u>	
To be raised by assessment		<u>\$ 1,450.00</u>
<b><u>DISTRICT NO. 6</u></b>		
Bond principal	\$ -0-	
Bond interest	-0-	
To sewer District No. 5:		
Rent	20,500.00	
Maintenance	<u>1,120.00</u>	
To be raised by assessment		<u>\$ 21,700.00</u>
<b><u>DISTRICT NO. 7</u></b>		
<b><u>APPROPRIATIONS</u></b>		
Bond principal	\$ 27,000.00	
Bond interest	28,483.50	
To Sewer district No. 5:		
Rent and maintenance	34,600.00	
Erie County chargebacks	15.10	
<b>TOTAL APPROPRIATIONS</b>	<u>\$ 90,098.60</u>	
<b><u>REVENUES</u></b>		
Sewer District No. 7 - Depew Extension	\$ 4,000.00	
Sewer District No. 7 - Cardarelli Extension	2,000.00	
<b>TOTAL REVENUES</b>	<u>\$ 6,000.00</u>	
To be raised by assessment		<u>\$ 84,098.60</u>
<b><u>DISTRICT NO. 7 - DEPEW EXTENSION</u></b>		
Bond principal	\$ 2,500.00	
Bond interest	1,400.00	
Note interest	2,100.00	
Rent and maintenance payable to Sewer District No. 5	8,000.00	
Transmission charge payable to Sewer District No. 7	<u>4,000.00</u>	
To be raised by assessment		<u>\$ 18,000.00</u>
<b><u>DISTRICT NO. 7 - CARDERELLI EXTENSION</u></b>		
Bond principal	\$ 2,300.00	
Bond interest	1,200.00	
Note interest	1,800.00	
Rent and maintenance payable to Sewer District No. 5	8,000.00	
Transmission charge payable to Sewer District No. 7	<u>2,000.00</u>	
To be raised by assessment		<u>\$ 15,300.00</u>

Item No. 3 Cont'd

STORM SEWER DISTRICTS

DISTRICT NO. 1

Maintenance payable to Sewer District No. 5	\$ 1,000.00	
To be raised by assessment		<u>\$ 1,000.00</u>

DISTRICT NO. 2

Maintenance payable to Sewer District No. 5	\$ 1,000.00	
To be raised by assessment		<u>\$ 1,000.00</u>

DISTRICT NO. 3

Maintenance payable to Sewer District No. 5	\$ 1,500.00	
To be raised by assessment		<u>\$ 1,500.00</u>

DISTRICT NO. 4

Bond principal	\$ 5,000.00	
Bond interest	2,970.00	
Maintenance payable to Sewer District No. 5	<u>1,000.00</u>	
To be raised by assessment		<u>\$ 8,970.00</u>

DISTRICT NO. 5

Bond principal	\$ 2,500.00	
Bond interest	2,835.00	
Maintenance payable to Sewer District No. 5	<u>1,000.00</u>	
To be raised by assessment		<u>\$ 6,335.00</u>

DISTRICT NO. 6

Bond principal	\$ 9,000.00	
Bond interest	10,206.00	
Maintenance payable to Sewer District No. 5	<u>500.00</u>	
To be raised by assessment		<u>\$ 19,706.00</u>

DISTRICT NO. 7

Erie County chargebacks	\$ 305.65	
Engineering (NCV)	1,095.00	
Bond principal	16,000.00	
Bond interest	19,742.00	
Note interest	2,100.00	
Maintenance payable to Sewer District No. 5	<u>500.00</u>	
To be raised by assessment		<u>\$ 39,742.65</u>

TO BE RAISED BY ASSESSMENT

LATERAL SANITARY SEWER DISTRICTS

Rosler	<u>\$ 500.00</u>
Andres Place	<u>\$ 1,177.35</u>
Walden	<u>\$ 3,066.77</u>
Buell-Genesee	<u>\$ 1,572.00</u>
Smallwood	<u>\$ 593.92</u>
Union-Goering	<u>\$ 2,008.00</u>
Greenway Boulevard	<u>\$ 1,100.00</u>

CURBING DISTRICTS

Mansion	<u>\$ 3,612.93</u>
Peoria	<u>\$ 3,357.70</u>
Warsaw	<u>\$ 1,889.08</u>
Wabash	<u>\$ 2,000.00</u>
Calderwood-Huntington	<u>\$ 2,316.23</u>
Cherokee	<u>\$ 3,700.00</u>
Dellwood	<u>\$ 1,000.00</u>
Claudette Court	<u>\$ 2,400.00</u>
Cunard	<u>\$ 2,500.00</u>

Item No. 3 Cont'd

PAVING DISTRICTS

Cedar, Tudor, Campbell	\$ 22,526.00
Lemoine	\$ 5,295.75
Greenway Blvd.	\$ 3,950.00

STREET LIGHTING IMPROVEMENT

GROUP 28

Principal and interest due in 1963:	
Binner Road	\$ 166.77
Charlotte Drive	\$ 166.77
Joseph Street	\$ 1,226.94

GROUP 29

Principal and interest due in 1963:	
Sandy Lane	\$ 370.04
St. Boniface Road	\$ 518.05
Hunting Rd.	\$ 255.94
Santin Dr.	\$ 1,389.15

WHEREAS, a public hearing was duly held on the 26th day of September, 1962, at which time no one spoke either in favor or against the said budget, and there being no corrections to same,

NOW, THEREFORE, BE IT RESOLVED, that the Budget and Assessment Roll for Special Districts in the Town of Cheektowaga, New York, be and the same is hereby approved, and be it further

RESOLVED, that the Supervisor be and he hereby is directed to cause same to be spread on the Tax Roll for the year 1963.

Seconded by Councilman Fath.

CARRIED: AYES: 6 ABSENT: 1

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Item No. 4 The Town Clerk then presented the Budget Estimates of Expenses and Revenues from the various Department Heads for the year 1963 to the Board for their study and approval.

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Item No. 5 Moved by Councilman Kaczmarek, seconded by Councilman Trojanoski, that the request of Starlite Builders Inc., to change the name of the highway known as Dombrowski Avenue to Starlite Avenue, be denied.

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CARRIED: AYES: 6 ABSENT: 1

Item No. 6 Councilman Kaczmarek offered the following resolution and moved its adoption:

BE IT RESOLVED, that the members of the Board of Air Pollution Control, and any other Town Officials, are hereby authorized to attend dinner meetings and other meetings of the Air Pollution Control Association, Niagara Frontier Section, and that their necessary expenses shall be reimbursed by the Town, upon presentation of proper vouchers therefor.

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

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CARRIED: AYES: 6 ABSENT: 1

Item No. 7 Moved by Councilman Kaczmarek, seconded by Councilman Kornecki, that the application of Edward C. Drabek to erect a gasoline filling station on the north-west corner of Cleveland Drive and Beach Road, be approved.

CARRIED: AYES: 5 ABSENT: 1 NOES: 1

15

Item No. 8 Ordered referred to the Town Board and the Zoning Board of Appeals. Petition bearing the signatures of approximately 115 names being against the rezoning of the premises known as the south-east corner of Clinton and Rossler Street.

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Item No. 9 Moved by Councilman Trojanoski, seconded by Councilman Kornecki, that the Town Clerk be authorized and directed to issue Building Permits on applications approved by the Building Inspector in his communication dated September 26, 1962.

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CARRIED: AYES: 6 ABSENT: 1

Item No. 9 Moved by Councilman Fath, seconded by Councilman Bystrak to adjourn.

SEAL

Kenneth T. Hanley, Town Clerk.